

Decision No. 53716

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
J. A. CLARK DRAYING COMPANY, LTD., )  
a corporation, for authority to )  
depart from the rates, rules and )  
regulations of Highway Carriers' )  
Tariff No. 2 under the provisions )  
of Section 3666 of the Public )  
Utilities Code. )

Application No. 30451  
(Seventh Supplemental)

SEVENTH SUPPLEMENTAL OPINION AND ORDER.

Applicant holds a highway contract carrier permit. It transports aluminum, iron and steel articles for United States Steel Supply Company between the shipper's warehouse in the City of Vernon and points in southern California. Prior orders in this proceeding have authorized applicant, under Section 3666 of the Public Utilities Code, to deviate from the minimum rates otherwise applicable to this transportation. The authorized deviation permits applicant to observe monthly rates for the equipment used in furnishing the service in lieu of rates based on the weight of the freight shipped. The rates presently authorized are the same as the monthly Los Angeles Drayage Area rates. This authority is scheduled to expire September 12, 1956.

Permission is now sought to continue to deviate from the minimum rates for a further one-year period. Applicant proposes, however, that the authorized rates be raised in conformity with any increase which may be made in the drayage rates.<sup>1</sup>

The supplemental application states that, except for increased operating costs, the conditions which justified deviation from the minimum rates still obtain. Applicant asserts that

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<sup>1</sup> By Decision No. 53699 of August 29, 1956, in Case No. 5435 (Pet. No. 10), the monthly rates in Minimum Rate Tariff No. 5 were increased effective October 1, 1956.

the higher operating costs will be offset by the increase that will be made in the rates and that operations under those rates may reasonably be expected to be profitable during the ensuing year.

Interested parties have been notified of the filing of the supplemental application. No objection has been received to its being granted.

In the circumstances it appears, and the Commission finds, that the proposed rates are reasonable. This is a matter in which a public hearing is not necessary. The supplemental application will be granted. In view of the expiration date of the present authority, the order will be made effective September 12, 1956.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Decision No. 43241 of August 23, 1949, as amended, in this proceeding, be and it is hereby further amended by substituting the rates named in Item No. 430-I of Minimum Rate Tariff No. 5, until October 1, 1956, and the rates named in Item No. 430-J of Minimum Rate Tariff No. 5, on and after October 1, 1956, for those shown on page 2 of Appendix "A" attached to said Decision No. 43241; and that the expiration date of the authority granted by said Decision No. 43241, as further amended herein, be and it is hereby extended to September 12, 1957, unless sooner changed or further extended by order of the Commission.

IT IS HEREBY FURTHER ORDERED that any transportation performed by applicant as a common carrier of the same commodities

between the same points shall be cause for revocation of the authority herein granted.

This order shall become effective September 12, 1956.

Dated at San Francisco, California, this 4<sup>th</sup> day of September, 1956.

John E. Mitchell  
President  
Arthur J. Cullen  
Paula Antecover  
William H. ...  
R. ...  
Commissioners