

ORIGINALDecision No. 54188

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
GRIFALL BROS. TRUCKING COMPANY, a)	
corporation, for an order authorizing)	
departure from the rates, rules and)	Application No. 35701
regulations of Minimum Rate Tariff)	(2nd Supplemental)
No. 2, under the provisions of Sec-)	
tion 3666 of the Public Utilities)	
Code.)	

SECOND SUPPLEMENTAL OPINION AND ORDER

Grifall Bros. Trucking Company, a corporation, holds a highway contract carrier permit. By prior orders in this proceeding, applicant was authorized, under Section 3666 of the Public Utilities Code, to deviate from the minimum rates otherwise applicable to transportation of iron and steel articles and materials for Westates Steel Co. In lieu of rates based on the weight of the freight shipped, the authority allows the use of monthly rates for the equipment used in furnishing the service from the steel company's plant at Santa Clara to points in the counties of Santa Clara, San Mateo and Alameda. This authority expired November 13, 1956. Permission is sought to continue to deviate from the minimum rates for a further one-year period. Applicant requests that the authority be made retroactive to November 13, 1956.

The supplemental application states that the conditions which justified deviation from the minimum rates still obtain. It shows that operations under the authorized bases of rates have been compensatory and can reasonably be expected to be profitable for the ensuing year. It shows that the monthly rental and excess mileage charges it is authorized to assess are the same as those provided for in City Carriers' Tariff No. 2-A - Highway

Carriers' Tariff No. 1-A.

In the circumstances it appears, and the Commission finds, that the proposed bases of charges are reasonable. This is a matter in which a public hearing is not necessary. The supplemental application will be granted except as to making the authority effective retroactively. Retroactive adjustment of rates is not provided for in the Highway Carriers' Act. However, in view of the lapse of applicant's authority, the order will be made effective immediately.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

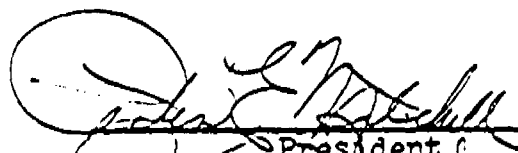
(1) That the authority granted to Grifall Bros. Trucking Company by Decision No. 50740 of November 3, 1954, as amended, in this proceeding, be and it is hereby reinstated and extended to expire one year after the effective date hereof, unless sooner changed or further extended by order of the Commission.

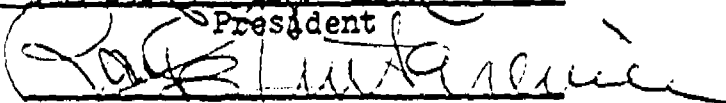
(2) That any transportation performed by applicant as a common carrier of the same commodities between the same points shall be cause for revocation of the authority herein granted.


(3) That in all other respects Second Supplemental Application No. 35701 be and it is hereby denied.

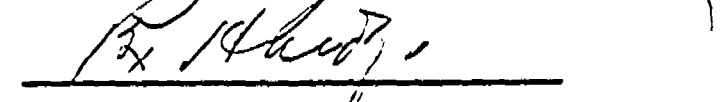
This order shall become effective on the date hereof.


Dated at Los Angeles, California, this 4th day of December, 1956.



President








Commissioners