

ORIGINAL

Decision No. 56758

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of	)	
HARRY MCKENZIE TRUCKING CO., a cor-	)	
poration, for an order authorizing	)	
departure from the rates, rules and	)	Application No. 38541
regulations of Minimum Rate Tariff	)	(First Supplemental)
No. 2, pursuant to the provisions of	)	
Section 3666 of the Public Utilities	)	
Code for the transportation of brandy.)	)	

FIRST SUPPLEMENTAL OPINION AND ORDER

Applicant holds radial highway common, highway contract and city carrier permits.<sup>1</sup> By Decision No. 55044 of May 28, 1957, in this proceeding, it was authorized as a highway contract carrier, under Section 3666 of the Public Utilities Code, to transport brandy, in barrels, between Lac Jac, on the one hand, and Biola, Fowler and Monmouth, on the other hand, for Fromm & Sichel, Inc., at rates less than the established minimum rates. The authority is scheduled to expire June 17, 1958.

By this supplemental application authority is sought to continue to deviate from the minimum rates for a further one-year period.

According to the supplemental application, the conditions which justified deviation from the minimum rates still obtain, except that operations between Lac Jac and Biola have improved due to the opening of a freeway thereby eliminating some traffic congestion and delay. A statement submitted with the application shows that the current rates have been profitable and will result in profitable operations for the ensuing year. The supplemental application states that the shipper is prepared to engage in proprietary operations and has the facilities to do so and therefore the sought extension of the deviation is necessary to retain the traffic for

<sup>1</sup> Applicant is also authorized by Decisions Nos. 53470 and 53958, in Application No. 36163, to operate as a certificated highway common carrier of specified commodities between certain points not involved herein.

applicant. The Transportation Division staff has reviewed the supplemental application and has recommended that it be 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.

Therefore, good cause appearing,

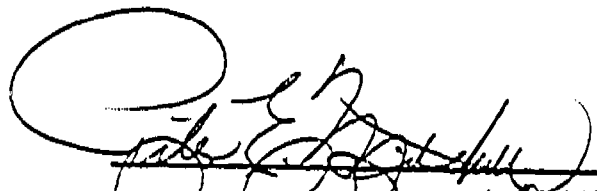

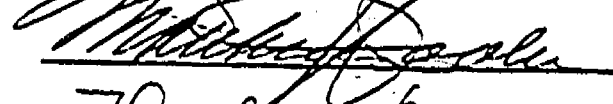
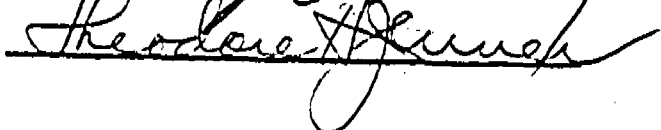
IT IS ORDERED:

(1) That the authority granted to Harry McKenzie Trucking Co. by Decision No. 55044 of May 28, 1957, in this proceeding, is hereby extended to June 17, 1959, unless sooner changed or further extended by order of the Commission.

(2) That the permit which Harry McKenzie Trucking Co. holds to operate as a radial highway common carrier is hereby limited to exclude the transportation of brandy in barrels between Lac Jac on the one hand and Biola, Fowler and Monmouth on the other hand.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 27th day of May, 1958.

  
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President  
  
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Commissioners