

Decision No. 63089

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
C. E. FORTIER and C. J. FORTIER, a)	
copartnership doing business as)	
FRESNO-GENERAL GRANT-CEDAR GROVE)	
FREIGHT LINES, to sell and transfer,)	Application No. 39280
and of E. W. SIMMONS, an individual,)	
to purchase certain operating rights)	
and equipment.)	

SUPPLEMENTAL OPINION AND ORDER

By decision hereinafter identified, E. W. Simmons acquired certificates of public convenience and necessity authorizing operations as a highway common carrier of freight and property. There are no commodity exclusions included in the certificates.

Under Decision No. 61177, dated December 13, 1960, in Case No. 5432, temperature control charges were established on

"Commodities requiring protection from heat by the use of ice (either water or solidified carbon dioxide) or by mechanical refrigeration."

By letter dated June 25, 1961, the carrier requested that the Commission amend his certificates to exclude the transportation of commodities subject to the application of the temperature control charges. The certificates will be amended accordingly. A public hearing is not necessary.

Good cause appearing,

IT IS ORDERED that:

(1) The certificates of public convenience and necessity granted by Decision No. 27269 dated August 13, 1934, in Application No. 19490, and Decision No. 40583 dated August 5, 1947, in Application No. 28491, as acquired by E. W. Simmons by Decision

No. 55554 dated September 10, 1957, in Application No. 39280, are hereby amended by adding the following commodity exclusion:

"Commodities requiring protection from heat by the use of ice (either water or solidified carbon dioxide) or by mechanical refrigeration."

(2) Within one hundred twenty days after the effective date hereof, and on not less than five days' notice to the Commission and the public, E. W. Simmons shall amend his tariffs on file with the Commission to reflect the authority granted herein.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 9th day of January, 1962.

Robert W. Page
President
John E. Mitchell
E. J. Fox
George J. Traver
Frederic B. Harbush
Commissioners