

ORIGINAL

Decision No. 73673

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
CLIFTON SHIFFLET and EARL F. ANDERS,)	
copartners, doing business as)	Application No. 49069
SHIFFLET BROS., for authority to)	(Petition for Substitution of
depart from minimum rates in con-)	Corporate Entity for
nection with certain transportation)	Partnership)
to be performed for Rice Growers)	(Filed December 28, 1967)
Association of California.)	

SUPPLEMENTAL OPINION AND ORDER

Decision No. 72087 dated February 28, 1967, in the above proceeding authorized Earl F. Anders and Clifton Shifflet, doing business as Shifflet Bros., to charge rates which are less than the minimum rates otherwise applicable for the transportation of paddy rice, in bulk, from various rice driers and warehouses in the Sacramento Valley to the processing plant of Rice Growers Association of California at Biggs.

By this petition, authority is sought to transfer the above less-than-minimum rate authorization from Earl F. Anders and Clifton Shifflet, a copartnership (partnership), to Shifflet Bros., Inc., a corporation (corporation), so that corporation may perform the aforementioned transportation service at the same rates assessed by partnership.

Petitioners aver that partnership has entered into an agreement with corporation to transfer all assets and permits from partnership to corporation.¹ They state that corporation's operation

¹ The radial highway common carrier, highway contract carrier and city carrier permits held by Earl F. Anders and Clifton Shifflet were transferred to Shifflet Bros., Inc. effective January 3, 1968.

will be conducted in the same manner as that of partnership with the same equipment, personnel and management and that corporation will serve the same customers as are currently served by partnership.

The certificate of service shows that a copy of the petition was mailed to California Trucking Association on December 28, 1967. The petition was listed on the Commission's Daily Calendar of December 29, 1967. No objection to the granting of the petition has been received.

In the circumstances, it appears, and the Commission finds, that the continuation of the present minimum rate deviation in the name of the corporation is justified. A public hearing is not necessary. The Commission concludes that the petition should be granted and that Decision No. 72087, supra, should be amended accordingly.

IT IS ORDERED that:

1. Decision No. 72087 dated February 28, 1967, in Application No. 49069 is hereby amended by substituting the following for Ordering Paragraph 1 thereof:


"1. Shifflet Bros., Inc., a corporation, is hereby authorized to transport paddy rice, in bulk, for Rice Growers Association of California at rates less than the established minimum rates but not less than those set forth in, and subject to the provisions specified in, Appendix A attached hereto and by this reference made a part hereof."

2. Appendix A of Decision No. 72087 dated February 28, 1967, in Application No. 49069 is hereby amended by substituting for the words, "Earl F. Anders and Clifton Shifflet dba Shifflet Bros.," wherever they appear in said appendix the words, "Shifflet Bros., Inc. (a corporation)."

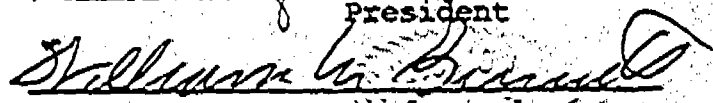
3. In all other respects, Decision No. 72087 shall remain in full force and effect.

The effective date of this order shall be the date hereof.

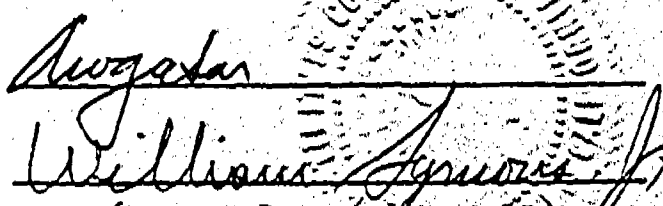
Dated at San Francisco, California, this 30th day of January, 1968.



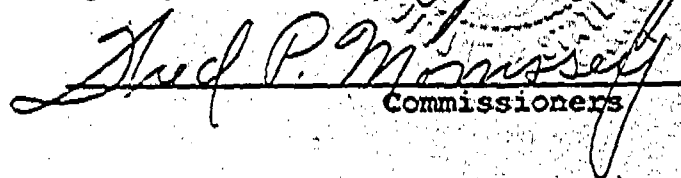
President



Attorney



Commissioner



Commissioners