

Decision No. 14 932

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

California Fruit Growers Exchange,
Complainant.

vs.

Los Angeles & Salt Lake Railroad Company,
Southern Pacific Company,
Defendants.

CASE NO. 2106

BY THE COMMISSION:

SUPPLEMENTAL ORDER

Upon further consideration of the record in the above entitled proceeding and of defendants' communications for a modification of the order entered herein:

IT IS ORDERED that the fifth and sixth paragraphs of the opinion in Decision No. 14677, entered herein on May 1, 1925, be, and they are, hereby modified and amended to read as follows:

Defendants admit complainant's allegations that the rates complained of were unjustly and unduly preferential. Therefore, under the circumstances, a public hearing will not be necessary.

After due consideration we find that complainant made shipments as described in statements attached to and made a part of the complaint, paid and bore the charges thereon, and that upon carriers' admission that the amount collected was unjustly discriminatory and unduly preferential, reparation should be awarded.

IT IS FURTHER ORDERED that the last line of the order in Decision No. 14877 be changed to read "as reparation account unjust and unduly preferential rates."

Dated at San Francisco, California, this 14th day of May, 1925.

H. P. Brundage

C. Seaver

Emmanuel Scott
Commissioners.