

Decision No. 23266

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Suspension by  
 the Commission on its own motion  
 of Supplement No. 23 to Pacific  
 Freight Tariff Bureau Joint Freight  
 Tariff No. 166-D, C.R.C. No. 442.

Case No. 2942.

BY THE COMMISSION:

**ORIGINAL**OPINION

By its order of October 17, 1930, in the above entitled proceeding the Commission suspended until February 13, 1931, reduced rates on crushed rock, sand and gravel from Radum on the Western Pacific Railroad to Woodland, Rio Linda, Rio Oso, Marysville, Colusa, Chandon, Oroville, Blavo and Chico on the Sacramento Northern Railway, and to Manteca, Carrolton, Modesto, Turlock and Hillmar on the Tidewater Southern Railway, as published in Supplement No. 23 to Pacific Freight Tariff Bureau Tariff 166-D, C.R.C. 442. The reduced rates were suspended upon complaint of the Pacific Coast Aggregates, Inc., alleging they unduly prejudiced protestant.

Subsequent to our order of suspension respondents petitioned for, and obtained, authority to publish in lieu of the rates under suspension, rates from Radum to the points here involved, based upon the mileage scale contained in Pacific Freight Tariff Bureau Tariff 166-D, C.R.C. 442, except to points common with the Southern Pacific Company rates lower than the scale were authorized, such rates to be published nonintermediate in application where necessary to avoid breaking down the rates at the intermediate points. Protestant stipulated that the publication of rates from Radum upon this basis would remove its cause for

protest.

The rates to the common points were published effective November 17, 1930, in Supplement No. 23 to Pacific Freight Tariff Bureau Joint Freight Tariff No. 166-D, C.R.C. 442. As to these rates our order of suspension was vacated by Decision No. 23193 of December 17, 1930. The other rates under suspension were published to become effective December 5, 1930.

As the cause for suspension has been entirely removed, our order of October 17, 1930, will be vacated in its entirety and this suspension proceeding discontinued.

#### ORDER

Upon consideration of all the facts of record, and good cause appearing therefor,

IT IS HEREBY ORDERED that our order of October 17, 1930, in the above entitled proceeding, suspending reduced rates on crushed rock, sand and gravel from Radum on the Western Pacific Railroad to Woodland, Rio Linda, Rio Oso, Marysville, Colusa, Chandon, Oroville, Blavo and Chico on the Sacramento Northern Railway, and to Manteca, Carrolton, Modesto, Turlock and Hilmar on the Tidewater Southern Railway, be and it is hereby vacated and set aside.

IT IS HEREBY FURTHER ORDERED that this proceeding be and it is hereby discontinued.

Dated at San Francisco, California, this 8th day  
of January, 1931.

*Chambers*  
Leon Whiteley  
Fred G. Stewart

Commissioners.