

Decision No. 25040.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Suspension by)
 the Commission on its own motion of)
 OVERLAND TERMINAL WAREHOUSE COMPANY)
 Cooler Room Warehouse Tariff No. 1,)
 C.R.C. No. 1.)

Case No. 3235.

BY THE COMMISSION:

ORIGINALO P I N I O N

By our orders of April 11 and June 13, 1932 in the above entitled proceeding we suspended until August 15, 1932 Overland Terminal Warehouse Company Cooler Room Warehouse Tariff No. 1, C.R.C. No. 1, naming rates for the storage at Los Angeles of various commodities at a temperature of not less than 42 degrees Fahrenheit. The tariff was suspended upon receipt of protests from competing cold storage companies alleging that it provides for a cold storage service as defined in the Food Warehousamen Act, Chapter 215, Statutes 1919, and that no certificate of public convenience and necessity had been obtained from the Railroad Commission to perform said service.

The matter was set for hearing before Commissioner Seavey at Los Angeles August 4, 1932. Before the proceeding was heard, however, respondent applied for authority to cancel the tariff. This authority was granted and the tariff cancelled August 1, 1932. The cause for suspension has therefore been removed, and our orders of April 11 and June 13, 1932 should be

vacated and this suspension proceeding discontinued.

O R D E R

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

IT IS HEREBY ORDERED that our orders of April 11 and June 13, 1932, in the above entitled proceeding, suspending Overland Terminal Warehouse Company Cooler Room Warehouse Tariff No. 1, C.R.C. No. 1, be and they are 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 August, 1932.

W. A. Lewis
Leon White
W. A. Lewis
W. B. Harris
Frederick A. Stewart
Commissioners.