

Decision No. 25380.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Suspension by the Commission on its own motion of Rules 20 to 32 inclusive of GREAT NORTHERN RAILWAY COMPANY Local and Joint Freight Tariff G.F.O. No. 1240-I, Cal. R.C. No. 20, naming rules and charges governing the diversion or reconsignments of fresh or green fruits, fresh or green vegetables, fresh berries, grapes or melons.

ORIGINAL

Case No. 3303.

James E. Lyons for the respondent, Great Northern Railway Company.

BY THE COMMISSION:

O P I N I O N

The tariff items under suspension are contained in Rules 20 to 32 inclusive of Great Northern Railway Company Local and Joint Freight Tariff G.F.O. No. 1240-I, Cal. R.C. No. 20, published to become effective August 1, 1932, and govern the diversion or reconsignment of fresh or green fruits, fresh or green vegetables, fresh berries, grapes or melons.

Upon protest of interested shippers the tariff items were suspended until August 26, 1932, and later further suspended to November 26, 1932.

The proceeding was called for hearing at Los Angeles before Examiner Geary September 23, 1932, at which time the attorney representing respondent announced that the protested schedules would be cancelled and items published in conformity with

those proposed by the other California railroads in Applications Nos. 18274 and 18339.

By Supplement No. 5, effective November 2, 1932, the protested tariff items were cancelled. Thus the cause for suspension has been removed. Our orders of July 28, 1932, and August 22, 1932, should accordingly be vacated and this suspension proceeding discontinued.

O R D E R

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

IT IS HEREBY ORDERED that our orders of July 28 and August 22, 1932, in the above entitled proceeding, suspending Rules 20 to 32 inclusive of Great Northern Railway Company Local and Joint Freight Tariff G.F.O. No. 1240-I, Cal.R.C. No. 20, 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 24th day of November, 1932.

C. C. Leary
Leon Whitney
M. A. Lee
W. B. Harris
Frank G. Stewart
Commissioners.