

Decision No. 25404 .

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Suspension by the)
Commission on its own motion of Item No.)
175 appearing in PACIFIC MOTOR TRANSPORT)
COMPANY Local Express Tariff 1-C, C.R.C.) Case No. 3233.
No. 6, naming rates on Commodities, Gen-)
eral Specials, between Los Angeles and)
points in the Imperial Valley.)

WHITSELL, Commissioner:

ORIGINAL

O P I N I O N

By Decision 25143 of September 6, 1932, the Commission held that respondents had failed to justify a rate of 45 cents per 100 pounds published to become effective April 24, 1932, in Item 175 of Pacific Motor Transport Company Local Express Tariff 1-C, C.R.C. 6, applying on "Commodities, General Specials", transported between Los Angeles and Niland, Calipatria, Westmoreland, Brawley, Imperial, El Centro, Holtville, Calexico and intermediate points. The rate, which had previously been suspended, was ordered cancelled.

Respondents thereupon filed a petition "for rehearing and reopening the case for further evidence". By order dated October 29, 1932, a rehearing was granted. It was to be held at Los Angeles on November 29, 1932. Meanwhile, however, respondents applied to the Commission for authority to withdraw the suspended rate. This authority was granted and the rate cancelled effective November 30, 1932. Thus the cause for suspension is being removed. The Commission should accordingly vacate its order of April 5, 1932, as extended, and its order of October 29, 1932, granting

rehearing, and discontinue this proceeding.

I recommend the following form of order.

O R D E R

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

IT IS HEREBY ORDERED that the order of April 5, 1932, suspending a reduced rate on "Commodities, General Specials", named in Item 175 of Pacific Motor Transport Company Local Express Tariff 1-C, C.R.C. 6, together with subsequent orders extending the time of suspension, and the order of October 29, 1932, granting rehearing, be and they are hereby vacated and set aside.

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

The foregoing opinion and order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 29th day of November, 1932.

Leon A. Whelan

W. J. C.

W. B. Harris

Commissioners.