

Decision No. 25547.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Suspension by the
Commission on its own motion of CALIFORNIA
MOTOR EXPRESS, LTD., Local Express Tariff
and Classification C.R.C. No. 2 naming
rates for the transportation of property
between San Francisco and Los Angeles.)
Case No. 3430.

- Douglas Brookman and W. H. Kessler, for respondent,
California Motor Express, Ltd.
- C. S. Booth, for Pacific Coastwise Conference, Los
Angeles and San Francisco Navigation Company,
Los Angeles Steamship Company, McCormick Steam-
ship Company, Nelson Steamship Company and Pac-
ific Steamship Company, California Truck Company,
Incorporated, Pioneer Truck & Transfer Company of
Los Angeles.
- James E. Lyons, for Pacific Motor Transport Company
and Southern Pacific Company, protestants.
- Gerald E. Duffy and E. C. Pierre, for The Atchison,
Topeka and Santa Fe Railway Company.
- Edward Stern, for Railway Express Agency, Incorporated.
- Gwyn E. Baker, for Highway Transport Company, interes-
ted party.

BY THE COMMISSION:

O P I N I O N

The Commission by order dated November 30, 1932, sus-
pended until February 1, 1933, California Motor Express, Ltd.,
Local Express Tariff and Classification C.R.C. No. 2, naming re-
duced rates, rules, regulations and classifications for the trans-
portation of property between San Francisco and Los Angeles. The
schedule was suspended upon protests of competing transportation
companies alleging that the proposed rates, rules, regulations and
classifications were unjust, unreasonable, preferential, discrim-
inatory and detrimental both to the public interest and to compe-
ting carriers.

A public hearing was held before Examiner Geary at San

Francisco December 9, 1932, and the matter submitted. During the hearing respondents agreed to make certain changes in the proposed rates and rules for the purpose of satisfying the objections raised by protestants. A revised tariff was accordingly prepared and submitted to the protestants, who informed the Commission in writing that it satisfied their objections. Application was likewise made to the Commission for authority under Sections 15 and 63 of the Public Utilities Act to establish the revised tariff on less than statutory notice. This authority was granted and the tariff is being filed to become effective January 23, 1933. This will remove the cause for suspension. Upon condition that the revised tariff will be made effective January 23, 1933, our order of November 30, 1932, should be vacated and this suspension proceeding discontinued as of that date.

O R D E R

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

IT IS HEREBY ORDERED that subject to the condition set forth in the opinion which precedes this order, our order of November 30, 1932, in the above entitled proceeding, suspending California Motor Express, Ltd., Local Express Tariff and Classification No. 2, be and it is hereby vacated and set aside as of January 23, 1933, and this proceeding discontinued.

Dated at San Francisco, California, this 16¹⁹³³ day of January, 1933.

C. C. [Signature]
[Signature]
M. B. [Signature]
[Signature]
Commissioners.