

Decision No. 25719.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Suspension by the)
Commission on its own motion of Local)
Excursion Tariff No. 2, C.R.C. No. 8)
of YOSEMITE PARK AND CURRY CO.)

Case No. 3531.

Brobeck, Phleger & Harrison, by James S. Moore,
Jr., for respondent.

McCutchen, Olney, Mannon & Greene, by Allan P.
Matthew, for protestant.

HARRIS, Commissioner:

O P I N I O N

The Yosemite Park and Curry Co. published effective March 1, 1933, in Local Excursion Tariff No. 2, C.R.C. No. 8, reduced fares between Merced on the one hand and El Portal, Yosemite Valley and intermediate points on the other hand. Reductions were also published in the fares on the "Horse-shoe Route Division" and on the "Circuit Tour" between Fresno and Merced via the Yosemite Valley and Mariposa Big Trees. The reductions in the fares amounted to approximately 25 per cent. Upon protest of the Yosemite Valley Railroad Company the Commission suspended the proposed fares until April 1, 1933.

A hearing was had at San Francisco March 8, 1933. At the hearing respondent requested authority to cancel the reduced

one-way and round-trip fares between Merced on the one hand and El Portal, Yosemite Valley and intermediate points on the other hand, to publish a "Circuit Tour" fare between Fresno and Merced of \$17.25 in lieu of the proposed fare of \$15.25, and to be permitted to establish the proposed fares on the "Horse-shoe Route Division". This proposed adjustment was satisfactory to protestant provided it would not prejudice its complaint against certain fares now maintained by respondent (See Case No. 3500, Yosemite Valley Railroad vs. Yosemite Park and Curry Co.).

The cause for suspension having been removed, the following form of order is recommended:

O R D E R

This case having been duly heard and submitted, and good cause appearing therefor,

IT IS HEREBY ORDERED that the Commission's order of suspension dated February 27, 1933, in the above entitled proceeding in so far as it suspended rates shown in Section 3, page 4, of Yosemite Park and Curry Co. Local Excursion Tariff No. 2, C.R.C. No. 8, be and it is hereby vacated as of March 10, 1933.

IT IS HEREBY FURTHER ORDERED that respondent be and it is hereby ordered to cancel on or before March 10, 1933, all fares shown in Section 2, page 3, and Section 4, page 4, of Yosemite Park and Curry Co. Local Excursion Tariff No. 2, C.R.C. No. 8.

IT IS HEREBY FURTHER ORDERED that respondent be and it is hereby authorized to establish on or before March 10, 1933, on not less than one day's notice to the Commission and to the public, a "Circuit Tour" fare of \$17.25 between Fresno and Merced.

IT IS HEREBY FURTHER ORDERED that the order in this pro-

ceeding is without prejudice to any conclusions which may be reached in Case 3500, Yosemite Valley Railroad Company vs. Yosemite Park and Curry Co.

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 9TH day of March, 1933.

C. C. Beatty
John A. [unclear]

M. B. Harris

Commissioners.