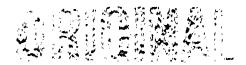
Decision No. 25719.



BEFORE THE RITLEOAD 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 YOSEMHTE 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:

OPINION

The Yosomite 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:

ORDER

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

TI 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 HERREST FURTHER ORDERED that respondent be and it is hereby ordered to cancel on or before March 10, 1933, all feres 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 HERREY 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 9 day of March, 1933.

C. Leaver
Jean oukly
M. B. Kime
Commissioners