

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Southern California Sugar Company,

Complainant,

vs

Southern Pacific Company and
Atchison, Topeka & Santa Fe
Railway Company.

Defendants.

Case No. 533

T. C. Burke, for Complainant,
Geo. D. Squires, for Southern Pacific Company,
E. W. Camp, for Atchison, Topeka & Santa Fe
Railway Company.

LOVELAND, Commissioner:

ORDER OF DISMISSAL

Complainant is engaged in the manufacture of sugar from sugar beets. By complaint filed July 3, 1914, it alleges that the rates on sugar beets from Vegala, Las Flores, Ysidora, Ranch House and De Luz to the complainant's factory are unjust and unreasonable. Reparation is asked.

A hearing was held in the City of Los Angeles on February 5, 1915. It then developed that complainant's plant is located about seven tenths of a mile from New Delhi, also that shipments of sugar beets from points of origin to ultimate destination must pass over the rails of three carriers. From points of shipment to Santa Ana over the Atchison, Topeka & Santa Fe Railway Company; Santa Ana to New Delhi over the Southern Pacific Company thence to destination via the Pacific Electric Railway.

During the hearing complainant endeavored to prove dis-

crimination by bringing in the Pacific Electric Railway's rates on sugar beets from points on that line to Dyer, and asked permission to amend the complaint accordingly. The Commission acceded to its request and set the matter over for further hearing at Los Angeles on June 11, 1915. At the commencement of the adjourned hearing counsel for complainant asked for and was given further time to familiarize himself with the matters in issue and intimated that the controversy might be amicably adjusted. The Commission thereupon set the case over to June 25, 1915.

The Commission is now in receipt of a communication from complainant dated Santa Ana, June 18, 1915, asking that the case be dismissed as the matters involved have been adjusted.

I submit herewith the following form of order:

O R D E R

IT IS HEREBY ORDERED that the above entitled case be and the same is hereby dismissed without prejudice.

The foregoing order is hereby approved and ordered filed as the order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 23rd day of June, 1915.

W. L. Leland
W. L. Leland
Edwin O. Edgerton
Frank D. Dyer

Commissioners.