

BEFORE THE RAILROAD COMMISSION OF THE  
STATE OF CALIFORNIA.

Decision No. 4467

ORIGINAL

In the matter of the application of the Southern Pacific Company for authority to increase certain class and commodity rates applying between San Francisco, San Jose, Oakland and Emery, Berkeley, San Leandro, San Ramon, Stockton, Lodi, Woodbridge, Valley Springs, Galt, Ione, Florin, Army Point, Napa Junction, South Vallejo, Napa, Trabody, Shellville Junction, Los Gatos and Felton and intermediate points.

Application  
No. 855

In the matter of the application of the Western Pacific Railway Company for authority to increase certain class and commodity rates applying between San Francisco, Oakland, Niles, Lyoth, Lathrop, Stockton and Sacramento and intermediate points.

Application  
No. 858

In the matter of the application of The Atchison, Topeka & Santa Fe Railway Company for authority to increase certain class and commodity rates applying between San Francisco, Oakland, Richmond, Stockton, Riverbank and Oakdale and intermediate points.

Application  
No. 859

BY THE COMMISSION:

SUPPLEMENTAL OPINION

In the order of September 4th, 1914, in the above-entitled proceedings (Volume 5, Opinions and Orders of the Railroad Commission of California, p. 369) it was provided, as follows:

"IT IS HEREBY ORDERED, that the Southern Pacific Company, Western Pacific Railway Company and The Atchison, Topeka & Santa Fe Railway Company be and are hereby authorized to publish and file in tariff

to become effective within twenty (20) days from date of this order the following class rates between San Francisco and Stockton:

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
18	16	14	12	11	11	9	8-3/4	8	6

and to advance such rates to points beyond the City of Stockton in order to bring the rates herein authorized to Stockton within the provisions of the Long and Short Haul clause of the Constitution.

The carriers did not avail themselves within the twenty days specified, of the authority thus given.

In May, 1917, the carriers who are parties to the above-entitled proceedings filed herein supplemental petitions asking that they be now permitted to avail themselves of the permission accorded in said order of September 4th, 1914.

Public hearings on these supplemental petitions were held in San Francisco on June 22nd and July 13th and 16th, 1917. The carriers submitted their supplemental petitions on the evidence heretofore taken in these proceedings and on the additional evidence with reference to the increased costs of maintenance and operation presented by the carriers in Application 2934.

The representatives of the San Francisco Chamber of Commerce and of the Merchants' and Manufacturers' Association of Sacramento stated that they did not desire to cross-examine witnesses or to present testimony. The representatives of the Stockton Chamber of Commerce stated that they did not desire to cross-examine witnesses or present testimony on the issue presented by the supplemental petitions herein, but they indicated that they might hereafter desire in a

separate proceeding to present to the Railroad Commission certain matters growing out of the subject matter of these proceedings.

At the time the Commission made said order of September 4th, 1914, the Commission was satisfied that the order was just and reasonable. The additional testimony now presented bearing on the increased costs of maintenance and operation would seem to show that there is at least as much reason now for granting the authority requested by the carriers as there existed in September, 1914.

We are of the opinion that the supplemental petitions herein should be granted and that the carriers should be accorded a reasonable time within which to avail themselves of the authority granted.

SUPPLEMENTAL ORDER

Petitioners in the above-entitled proceedings having filed herein their supplemental petitions asking that they be permitted to avail themselves of the authority granted by the order of September 4th, 1914 in the above-entitled proceedings, and good cause appearing,

IT IS HEREBY ORDERED that the Southern Pacific Company, The Western Pacific Railroad Company and The Atchison, Topeka & Santa Fe Railway Company be and they are hereby authorized to publish and file in tariff to become effective within twenty (20) days from date of this order the following class rates between San Francisco and Stockton:

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
18	16	14	12	11	11	9	8-3/4	8	6

and to adjust such rates to points beyond the City of Stockton in order to bring the rates herein authorized to Stockton within the provisions of the Long and Short Haul clause of the Constitution.

Dated at San Francisco, California this 19<sup>th</sup> day of July, 1917.

Miss Thelen

H. D. Rowland

Edwin O. Edgerton

Frank R. DeWitt

Commissioners.