

Decision No. 6685

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the Matter of the Class Rates)
of the Southern Pacific Company)
between all points San Francisco)
and South thereof to and includ-)
ing Los Angeles via San Jose and)
San Luis Obispo, including all)
Branch Lines.)

CASE NO. 687.

BY THE COMMISSION:

OPINION

In this proceeding, the Commission on its own motion, instituted an investigation into the class rates of the Southern Pacific Company between all points San Francisco and south thereof to and including Los Angeles via San Jose and San Luis Obispo.

Before the investigation was completed the President of the United States, by proclamation effective December 28, 1917, took possession and control of the railroads for war purposes and in the decision of the Supreme Court of the United States, dated June 2, 1919, Northern Pacific Railway Company and Walker D. Hines vs State of North Dakota, the power of the federal authorities to fix intrastate rates, under grant of war power by Congress, was upheld.

This Commission now being without authority to regulate intrastate rates of the Southern Pacific Company during the period

of federal control, the case will be dismissed.

O R D E R

The Commission having no jurisdiction in this proceeding,

IT IS HEREBY ORDERED that the same be and it is hereby dismissed.

Dated at San Francisco, California, this 24th day of September, 1919.

Edwin O. Edgerton
H. S. Leonard
Frank R. Dierker

 Commissioners.