

Decision No. 28171

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

MONOLITE PORTLAND CEMENT COMPANY,  
a corporation,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY, a corporation;  
THE ATCHISON, TOPEKA & SANTA FE RAILWAY  
COMPANY, a corporation; VISALIA ELECTRIC  
RAILROAD COMPANY, a corporation; SUNSET  
RAILWAY COMPANY, a corporation; BAY POINT  
AND CLAYTON RAILROAD COMPANY, a corpora-  
tion; CALIFORNIA CENTRAL RAILROAD COMPA-  
NY, a corporation; and YOSEMITE VALLEY  
RAILROAD COMPANY, a corporation,

Defendants.

Case No. 3071.

ORIGINAL

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

Upon request of defendant Southern Pacific Company,  
and good cause appearing,

IT IS HEREBY ORDERED that the second and third last  
paragraphs of our order in Decision No. 25968 of May 29, 1933  
in the above entitled proceeding be and they are hereby amended  
to read:

"IT IS HEREBY ORDERED that defendants, Southern Pacific  
Company, The Atchison, Topeka and Santa Fe Railway Company,  
Visalia Electric Railroad Company, Sunset Railway Company,  
Bay Point and Clayton Railroad Company, California Central  
Railroad Company and Yosemite Valley Railroad Company,  
according as they participate in the transportation, be  
and they are hereby directed to cease and desist on or  
before sixty (60) days from the effective date of this  
order and thereafter to abstain from assessing, demanding  
and collecting for the transportation of cement from  
Monolith to points in the San Joaquin Valley (Bakersfield  
on the south and Manteca on the north) rates found unduly  
prejudicial in the opinion which precedes this order.

"IT IS HEREBY FURTHER ORDERED that defendants, Southern Pacific Company, The Atchison, Topeka and Santa Fe Railway Company, Visalia Electric Railroad Company, Sunset Railway Company, Bay Point and Clayton Railroad Company, California Central Railroad Company and Yosemite Valley Railroad Company, according as they participate in the transportation, be and they are hereby required and directed on or before sixty (60) days from the effective date of this order, upon not less than five (5) days' notice to the Commission and the public, to remove the undue prejudice referred to in the opinion which precedes this order."

Dated at San Francisco, California, this 17<sup>th</sup>  
day of July 1933.

J. C. Leary  
Leon C. Whitman  
W. J. Lewis  
W. B. Harris  
W. H. H. H. H. H.  
COMMISSIONERS.