

Decision No. 26537.

RECORDED
INDEXED
MAY 19 1934

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Suspension by the
Commission on its own motion of Rule 1-A
and Section 6-A of Supplement No. 9 to
C.R.C. No. 10, Local and Interdivision
Freight Tariff of RICHARDS TRUCKING AND
WAREHOUSE COMPANY.

Case No. 3434.

Martin H. Richards, for respondent.

Wallace K. Downey, for Motor Freight Terminal
Company and for California Interurban Motor
Transportation Association.

WHITSELL, Commissioner:

OPINION ON REHEARING

Upon protests of competing common carrier organizations the Commission suspended Rule 1-A and Section 6-A of Supplement No. 9 to C.R.C. No. 10, Local and Interdivision Freight Tariff of Richards Trucking and Warehouse Company, pending a determination of their lawfulness.¹

¹ Rule 1-A provides for an allowance of 5 cents per 100 lbs. to be made in respondent's class and commodity rates on shipments delivered to its terminals at point of origin by the consignor or his agent, and a like allowance if shipments are received by the consignee or his agent at respondent's terminals at destination. Both of these allowances are subject to a minimum rate accruing to respondent of not less than 15 cents per 100 lbs. Section 6-A names reduced class rates applying on shipments of less than one ton transported between Los Angeles and Pasadena and points grouped therewith.

Following a hearing had in the matter the Commission concluded that respondent should be permitted to establish the rates proposed between Los Angeles and Pasadena and points grouped therewith for the purpose of meeting the competition of other carriers but that as to the rest of the territory respondent had failed to justify the proposed rates. An order was entered accordingly on February 14, 1933.

Respondent requested a rehearing, which was had at Los Angeles. During this rehearing it entered into a stipulation with protestant Motor Freight Terminal Company² agreeing that no reduction would be made from the established minimum charge and that the reductions provided for in Rule 1-A would be subject to a net minimum rate of 25 cents between Los Angeles and Wilmington and San Pedro and 15 cents elsewhere. Respondent also sought authority to make pickup and delivery allowances in its Orange County territory.

By Supplement No. 12 to C.R.C. No. 10, effective February 28, 1933, respondent complied with the terms of the Commission's order of February 14, 1933. By Supplement No. 16 effective September 5, 1933, it reduced certain of its class rates between Los Angeles and the Los Angeles Harbor District. Because of recently increased operating costs it no longer desires to make the other reductions to which protestant stipulated. This is satisfactory to protestant.

It appears therefore that the issues here involved have been disposed of and that this proceeding should be discontinued.

The following form of order is recommended:

² No other protestants appeared at the rehearing.

ORDER

This matter having been duly heard and submitted,
IT IS HEREBY ORDERED that this proceeding be and it is
hereby discontinued.

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 20th day
of November, 1933.

C. C. [Signature]
Leon [Signature]
W. A. [Signature]
M. B. [Signature]
W. H. [Signature]
Commissioners.