

Decision No. 28852.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Suspension by the Commission on its own motion of reduced rates on petroleum crude oil; petroleum gas oil; fuel oil, viz., refinery residuum; petroleum road oil; engine (naphtha) distillate, and commodities enumerated therewith named in tariffs of The Atchison, Topeka and Santa Fe Railway Company, Southern Pacific Company, Los Angeles & Salt Lake Railroad Company, The Western Pacific Railroad Company, Sacramento Northern Railway, Tidewater Southern Railway Company, Pacific Electric Railway Company and Pacific Freight Tariff Bureau, F. W. Gomph, Agent, applying between various points in California.)

Case No. 3552.

BY THE COMMISSION:

O P I N I O N

By order dated March 24, 1933, and as extended, the Commission suspended until December 16, 1933, reduced rates on petroleum crude oil, petroleum gas oil, fuel oil, viz., refinery residuum, petroleum road oil, engine (naphtha) distillate and other commodities enumerated therewith, filed by The Atchison, Topeka and Santa Fe Railway Company, Southern Pacific Company, Los Angeles & Salt Lake Railroad Company, The Western Pacific Railroad Company, Sacramento Northern Railway, Tidewater Southern Railway Company, Pacific Electric Railway Company and Pacific Freight Tariff Bureau, F. W. Gomph, Agent, to become effective March 25, 1933. The rates were suspended at the request of said carriers following a suspension on March 14, 1933, of reduced rates on gasoline and commodities

grouped therewith (Case 3537).

On October 17, 1933 (Decision 26443, Case 3537), the Commission found that the respondents had justified the reduced rates on gasoline and the commodities grouped therewith, and vacated its order suspending these rates. Upon petitions for rehearing and for oral argument thereupon filed by protestants oral argument was had on November 27 and 28, 1933, before the Commission en banc. Following the oral argument the petition for rehearing was denied and the orders of suspension in Case 3537 vacated and set aside as of December 16, 1933 (Decision 26618 of December 11, 1933). An order vacating and setting aside as of the same date the suspension of the rates here involved should therefore be issued.

O R D E R

Good cause appearing,

IT IS HEREBY ORDERED that our order of March 24, 1933, and as extended, suspending the reduced rates on petroleum crude oil, petroleum gas oil, fuel oil, viz., refinery residuum, petroleum road oil, engine (naphtha) distillate and commodities enumerated therewith, involved in this proceeding be and it is hereby vacated and set aside as of December 16, 1933.

IT IS HEREBY FURTHER ORDERED that this proceeding be and it is hereby discontinued.

Dated at San Francisco, California, this 11th day of December, 1933.

Cl. Seavey
W. J. Kim
M. B. Ulan
Commissioners.