

ORIGINAL

Decision No. 28745.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation
on the Commission's own motion into
the lawfulness of the rates on hay
between all points within the State
of California.

Case No. 2598.

BY THE COMMISSION:

O P I N I O N

This proceeding was instituted September 6, 1928, for the purpose of cooperating with the Interstate Commerce Commission in its effort to determine to what extent, if at all, the rates on hay between points within this State were excessive, unreasonable, unduly discriminatory, prejudicial, preferential or otherwise unlawful.¹

Public hearings were had jointly with the Interstate Commerce Commission at Los Angeles January 28 and at San Francisco February 1, 1929. Commissioner Decoto and Examiner Geary appeared for this Commission.

California produces a considerable quantity of hay the transportation of which is divided among rail, water and highway carriers. Because of this water and highway competition respond-

¹ The Interstate Commerce Commission's investigation, known as Rate Structure Investigation No. 17000, Part 10, was instituted pursuant to a joint resolution of Congress usually referred to as the Hoch-Smith Resolution.

ents² contend that the rates in this State are in many instances less than reasonable.

Although individual notices were sent to the various Chambers of Commerce, hay associations and farm bureaus, growers and shippers of hay evidenced little interest in the proceeding. In fact substantially the only shipper testimony of record deals with rates from points in the Imperial Valley to San Diego via the Republic of Mexico (not under this Commission's jurisdiction), and with the relationship between rates on hay and alfalfa meal.

By decision of July 24, 1933 (195 I.C.C. 461) the Interstate Commerce Commission found that the record before it did not justify any general readjustment of freight rates in the Western District and accordingly entered an order discontinuing the proceeding in its Docket 17000, Part 10.

On this record we find that the rates on hay between points in this State have not been shown to be excessive, unreasonable, unjustly discriminatory, unduly prejudicial or preferential or otherwise unlawful. This should not be construed as a formal finding that all rates involved in this proceeding are reasonable. The proceeding will be discontinued.

² The following carriers were made respondents to this proceeding: The Atchison, Topeka and Santa Fe Railway Company, Central California Traction Company, Holton Interurban Railway Company, Los Angeles & Salt Lake Railroad Company, Modesto & Empire Traction Company, Northwestern Pacific Railroad Company, Pacific Coast Railway Company, Pacific Electric Railway Company, Petaluma and Santa Rosa Railroad Company, Sacramento Northern Railway, San Francisco-Sacramento Railroad Company, Santa Maria Valley Railroad Company, Southern Pacific Company, Sunset Railway Company, Tidewater Southern Railway Company, Visalia Electric Railroad Company, and The Western Pacific Railroad Company.

O R D E R

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

Dated at San Francisco, California, this 22nd day
of January, 1934.

O. J. Leary
Leon Whitell
W. A. Lee
W. B. Harris
William W. Ware
Commissioners.