

Decision No. 25768.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

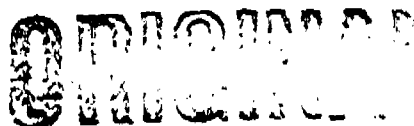
MONOLITH PORTLAND CEMENT COMPANY,
a corporation,

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.

BY THE COMMISSION:

FOURTH SUPPLEMENTAL ORDER

By Decision No. 26423 of October 13, 1933, in the above entitled proceeding, the time within which defendants were required to cease, desist and abstain from assessing, demanding and collecting for the transportation of cement from Monolith to points in the San Joaquin Valley, rates found unduly prejudicial in Decision No. 25968 of May 29, 1933, was extended until further order of the Commission. This extension was made to relieve defendants from the necessity of complying with the order in Decision No. 25968 until Application 19046, In the Matter of the Application of Southern Pacific Co. et al. for permission to increase certain freight rates on cement from Redwood City, Cowell, Kentucky House and Davenport had been disposed of.

On January 22, 1934, by Decision No. 26748 this application was dismissed. Therefore, good cause appearing,

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 date hereof 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 in Decision No. 25968 of May 29, 1933.

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 date hereof, upon not less than ten (10) days' notice to the Commission and the public, to remove the undue prejudice referred to in the opinion in Decision No. 25968 of May 29, 1933.

IT IS HEREBY FURTHER ORDERED that in all other respects Decision No. 25968 shall remain in full force and effect.

Dated at San Francisco, California, this 29th day of
January, 1934.

C. C. Leamy
Leon Whittell
W. H. Cunn
M. B. Cunn
W. H. Cunn
Commissioners.