

Decision No. 26925.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Suspension by
the Commission on its own motion of
Cooler Room Warehouse Tariff No. 2,
C.R.C. No. 2 of OVERLAND TERMINAL
WAREHOUSE COMPANY. }

Case No. 3761.

BY THE COMMISSION:

O P I N I O N

The Commission by orders in the above entitled proceeding dated January 8, 1934, and February 5, 1934, suspended until May 9, 1934, Cooler Room Warehouse Tariff No. 2, C.R.C. No. 2 of Overland Terminal Warehouse Company, filed to become effective January 9, 1934. The tariff was suspended for the reason that it antedated the effective date of the Commission's order in Decision No. 26691 of January 3, 1934, in Application No. 18877, In Re Application of Overland Terminal Warehouse Co., etc., pursuant to which it was purported to have been issued.

By Decision No. 26870 of March 12, 1934, and Decision No. 26926 of April 2, 1934, in the application of Overland Terminal Warehouse Company, supra, the Commission modified its order in Decision 26691 of January 3, 1934, and denied the petitions for rehearing filed by the protestants. Respondent should therefore issue a new tariff conforming to the Commission's orders in Decisions 26691, 26870 and 26926, to be filed in lieu of the suspended schedule. Upon the filing of this new tariff and the withdrawal of the suspended schedule the Commission's orders of

suspension and investigation should be vacated and this proceeding discontinued.

O R D E R

Upon consideration of all the facts of record, and good cause appearing therefor,

IT IS HEREBY ORDERED that upon the filing by respondent, on not less than five (5) days' notice to the Commission and the public, of a tariff conforming to the Commission's rules and to the orders in Decisions 26691, 26870 and 26926 in Application 18877, In Re Application of Overland Terminal Warehouse Company, and the concurrent cancellation of its Cooler Room Warehouse Tariff No. 2, C.R.C. No. 2, our orders of January 8, 1934, and February 5, 1934, in the above entitled proceeding, suspending said Tariff C.R.C. No. 2, be and they are hereby vacated and set aside and this proceeding discontinued.

Dated at San Francisco, California, this 2^d day of April, 1934.

C. S. Kearney

W. H. P.

A. B. Harris

Commissioners.