

Decision No. 27044.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Applications of
The Atchison, Topeka and Santa Fe
Railway Company, Sacramento Northern
Railway, Southern Pacific Company,
Tidewater Southern Railway Company,
The Western Pacific Railroad Company
and F. W. Gomph, Agent, for authority
to continue in effect, until May 31,
1935, upon one day's notice, numerous
temporary rates on flour, grain and
articles taking same rates, also pad-
dy rice, applying from, to, and/or
between various points in California,
now published to expire May 31, 1934.

Applications
C.R.C.No.15-13786 et al.
C.R.C.No.24(a)-3605 et al.
C.R.C.No.63-9924 et al.

ORIGINAL

- J. E. Lyons, G. E. Duffy and L. N. Bradshaw, for applicants.
- F. A. Somers, for San Francisco Grain Dealers Association.
- E. C. Wilcox, for Oakland Chamber of Commerce.
- H. M. Remington, for San Francisco Chamber of Commerce.
- M. J. McCarthy, Stanton & Berry, for Port Costa Warehouse Company.
- R. P. McCarthy, for Globe Grain and Milling Company and others.
- J. J. Deuel and L. S. Wing, for California Farm Bureau Federation.
- G. H. Baker, for California Inland Water Carriers' Conference.
- F. Merkelbach, for Albers Bros. Milling Company.
- R. T. Boyd, Bishop & Bahlor, for Golden Eagle Milling Company et al.
- R. H. Ahern, for Rosenberg Bros.
- E. Z. Bowen, for De Pue Warehouse Company.
- H. Krogh, for Simon Newman Company.
- R. H. Zacharias, for Patterson Elevator Company.
- J. E. McCurdy, for Poultry Producers of Central California.
- E. R. Warren, for Schuler-O'Connell Grain Company.
- J. B. Costello, for Sperry Flour Company.

BY THE COMMISSION:

O P I N I O N

Applicants now have published in their individual tariffs, and in joint tariffs issued by F. W. Gomph, Agent, rates on grain and related articles and on paddy rice applying between various points in the State including rates from the San Joaquin

Valley to San Francisco, Oakland and intermediate points and to Southern California points, and from points in the Sacramento Valley to San Francisco, Oakland, Santa Rosa, Petaluma and intermediate points. These rates are published to expire May 31, 1934. Applicants are here requesting authority to continue the rates in effect until May 31, 1935.

The rates which applicants propose to continue in effect are in most instances admittedly depressed rates. They were originally authorized by this Commission to enable applicants to meet unregulated motor truck competition.

A public hearing was held before Examiner Brown May 9, 1934, for the sole purpose of determining if unregulated truck competition requires the continuation of the rates referred to above.

The evidence here offered demonstrates without a doubt that rail carriers are still encountering acute truck competition and that the continuation of the present rates beyond May 31, 1934, is necessary to retain or augment the rail tonnage. There was no protest to the granting of the applications, although the California Inland Water Carriers' Conference suggested that the authority herein granted limit the period of the rates to a shorter time than May 31, 1935. This suggestion was made with the thought that under the Code of Fair Competition for the Truck Industry stability in rates could be obtained within a short time. However, the record before us shows that stability in rates under the code has not been attained and there is no definite assurance that such stability will be accomplished in the near future. If and when the changed conditions make it desirable, the Commission will give consideration to reopening these proceedings. In the meantime the applications will be granted.

O R D E R

A public hearing having been held, and the Commission being fully advised,

IT IS HEREBY ORDERED that the following applications be and they are hereby authorized, and the Secretary of the Commission be and he is hereby directed to issue the necessary authorizations:

<u>Applicant</u>	<u>Applicant's Number</u>	<u>Commission's Number</u>
The Atchison, Topeka & Santa Fe Ry. Co.	1535	C.R.C. 15-18786
"	1536	C.R.C. 24(a)-3605
"	1537	C.R.C. 63-9924
F. W. Comph, Agent	7503	C.R.C. 15-18798
"	1389	C.R.C. 24(a)-3608
"	7504	C.R.C. 63-9928
"	7505	C.R.C. 15-18790
"	1390	C.R.C. 24(a)-3609
"	7506	C.R.C. 63-9929
"	7507	C.R.C. 15-18791
"	1391	C.R.C. 24(a)-3610
"	7508	C.R.C. 63-9930
"	7510	C.R.C. 15-18792
"	7509	C.R.C. 63-9931
"	7512	C.R.C. 15-18794
"	7511	C.R.C. 63-9932
"	7520	C.R.C. 63-9933
"	7522	C.R.C. 15-18795
"	7521	C.R.C. 63-9934
"	7523	C.R.C. 63-9935
"	7550	C.R.C. 15-18835
"	1396	C.R.C. 24(a)-3618
"	7549	C.R.C. 63-9989
Sacramento Northern Railway	417	C.R.C. 15-18796
"	304	C.R.C. 63-9936
"	26	C.R.C. 24(a)-3606
"	27	C.R.C. 24(a)-3607
"	422	C.R.C. 15-18810
"	28	C.R.C. 24(a)-3611
"	29	C.R.C. 24(a)-3612
"	307	C.R.C. 63-9951
Southern Pacific Company	171	C.R.C. 15-18797
"	172	C.R.C. 63-9937
"	174	C.R.C. 15-18799
"	175	C.R.C. 63-9938
"	176	C.R.C. 15-18799
"	177	C.R.C. 63-9939

<u>Applicant</u>	<u>Applicant's Number</u>	<u>Commission's Number</u>
Southern Pacific Company	178	C.R.C. 15-18800
"	179	C.R.C. 63-9940
"	180	C.R.C. 15-18801
"	181	C.R.C. 63-9941
"	182	C.R.C. 15-18802
"	183	C.R.C. 63-9942
Tidewater Southern Railway Company	418	C.R.C. 15-18804
"	305	C.R.C. 63-9943
The Western Pacific Railroad Company	416	C.R.C. 15-18803
"	303	C.R.C. 63-9944

Dated at San Francisco, California, this 10th day
of May, 1934.

C. C. Kealey

M. A. Lane

W. B. Harris

Commissioners.