

Decision No. 27234.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Suspension by
the Commission on its own Motion of
Item 750-K of Pacific Motor Trans-
port Company's Local Express Tariff
No. 9, C.R.C. No. 13, and Item 2100-
C of Supplements Nos. 50 and 51 to
The Atchison, Topeka and Santa Fe
Railway Company's Tariff No. 14815-B,
C.R.C. No. 670.

Case No. 3819.

BY THE COMMISSION:

ORIGINAL

O P I N I O N

By orders dated April 14, May 14 and June 7, 1934, in the above entitled proceeding the Commission suspended until July 15, 1934, Item 750-K of Pacific Motor Transport Company's Local Express Tariff No. 9, C.R.C. No. 13, and Item No. 2100-C of Supplements Nos. 50 and 51 to The Atchison, Topeka and Santa Fe Railway Company's Tariff No. 14815-B, C.R.C. No. 670, naming reduced rates on groceries and grocery supplies between various points in California. The schedules were suspended upon protests from competing common carriers, alleging that if permitted to become effective they would result in rates which are unreasonably low, lower than necessary to meet competition, and unduly discriminatory and prejudicial.

Thereafter respondents informed the Commission that they desired to amend the suspended schedules so as to remove the objectionable features. Permission to do so was granted by the Commission,¹

¹ Authorities 15-19129, 24(a)-3663 and 63-10218 issued to The Atchison, Topeka and Santa Fe Railway Company, and 15-19127 and 63-10216 issued to the Pacific Motor Transport Company.

and the schedules are to be modified on July 15, 1934. The cause for suspension will thus be removed, and our orders of April 14, May 14 and June 7, 1934, should be vacated and this proceeding discontinued as of that date.

O R D E R

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

IT IS HEREBY ORDERED that our orders of April 14, May 14 and June 7, 1934, in the above entitled proceeding, suspending Item 750-K of Pacific Motor Transport Company's Local Express Tariff No. 9, C.R.C. No. 13, and Item No. 2100-C of Supplements Nos. 50 and 51 to The Atchison, Topeka and Santa Fe Railway Company's Tariff No. 14815-B, C.R.C. No. 670, be and they are hereby vacated and set aside and this proceeding discontinued as of July 15, 1934, provided that respondents shall on or before that date modify the suspended rates in the manner indicated in the preceding opinion.

Dated at San Francisco, California, this 13th day of July, 1934.

Leon O. Whitwell

M. B. Harris

Walter Ware,
Commissioners.