

Decision No. 27383.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Suspension by the )  
Commission on its own Motion of Item )  
No. 800-B of Supplement No. 4 to Local ) Case No. 3842.  
Freight Tariff C.R.C. No. 9 of REX )  
TRANSFER COMPANY. )

BY THE COMMISSION:

**ORIGINAL**

O P I N I O N

By orders dated May 21, June 25 and August 20, 1934, in the above entitled proceeding the Commission suspended until September 26, 1934, Item No. 800-B of Supplement No. 4 to Rex Transfer Company's Local Freight Tariff C.R.C. No. 9, naming reduced rates for the transportation of groceries and grocers' supplies between Los Angeles and various other points in Southern California. The suspended rates had been published for the purpose of meeting similar publications of The Atchison, Topeka and Santa Fe Railway Company and the Pacific Motor Transport Company.

Following receipts of protests from competing common carriers alleging that the rates proposed by the Atchison, Topeka and Santa Fe Railway Company and the Pacific Motor Transport Company were unreasonably low, lower than necessary to meet competition, and unduly discriminatory and prejudicial, and the subsequent suspension by the Commission, those carriers amended their proposed rates so as to remove the objectionable features. Thereupon respondent advised the Commission that it likewise desired to withdraw its suspended schedule and publish in lieu thereof rates similar to those published by The Atchi-

son, Topeka and Santa Fe Railway Company and the Pacific Motor Transport Company. Permission to do so was granted by the Commission and the suspended schedule cancelled effective September 19, 1934. The cause for suspension has thus been removed and our orders of May 21, June 25 and August 20, 1934, should be vacated and this proceeding discontinued.

O R D E R

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

IT IS HEREBY ORDERED that our orders of May 21, June 25 and August 20, 1934, in the above entitled proceeding, suspending Item 800-B of Supplement No. 4 to Local Freight Tariff C.R.C. No. 9 of Rex Transfer Company, be and they are hereby vacated and set aside and this proceeding discontinued.

Dated at San Francisco, California, this 24<sup>th</sup> day of September, 1934.

Leon Whiteley

W. J. Cunniff

W. B. Langley

W. H. Moore

Commissioners.