

Decision No. 27779

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Suspension by the Commission on its own motion of a reduced rating filed by THE ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY for the transportation of compressed gases and empty cylinders between Los Angeles and Daggett and intermediate points.

Case No. 3948.

ORIGINAL

BY THE COMMISSION:

ORDER VACATING ORDER OF SUSPENSION AND INVESTIGATION

The Commission by order dated December 22, 1934, and as amended January 2, 1935 suspended until April 22, 1935, Item 33-A of Supplement 13 to its Tariff 14815-C, C.R.C. 689, providing a reduced rating for the transportation of compressed gases and empty cylinders between points on its line in California. The tariff was suspended upon protest from a competing common carrier who alleged among other things that the rates therein were non-compensatory and unjustified.

The matter was set for public hearing at Los Angeles. Before the proceeding was heard, however, respondent informed the Commission that it desired to withdraw the suspended rating. Permission to do so was granted by the Commission<sup>1</sup> and the suspended schedule is being cancelled effective March 15, 1935. The cause for suspension is thus being removed and our order of

<sup>1</sup>

Authority No. 63-10850 dated January 29, 1935.

December 22, 1934 and as amended January 2, 1935, should be vacated and this proceeding discontinued as of March 15, 1935.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that our order of December 22, 1934 and as amended January 2, 1935, in the above entitled proceeding, suspending Item 33-A of Supplement 13 to The Atchison, Topeka & Santa Fe Railway Company's Tariff 14815-C, C.R.C. 689, be and it is hereby vacated and set aside and this proceeding discontinued as of March 15, 1935.

Dated at San Francisco, California, this 25<sup>th</sup> day of February, 1935.

Leon Whitely  
W. H. Carr  
M. B. Lewis  
W. H. Lawrence  
Frank R. Smith  
COMMISSIONERS.