

Decision No. 27780.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Suspension by the Commission on its own Motion of reduced rates published by the SOUTHERN PACIFIC COMPANY, THE WESTERN PACIFIC RAILROAD COMPANY and THE ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY for the transportation of Cotton from Stockton to San Francisco, Oakland, Alameda and Richmond.

ORIGINAL

Case No. 3951.

BY THE COMMISSION:

ORDER VACATING ORDER OF SUSPENSION AND INVESTIGATION

The Commission by order dated January 2, 1935, suspended until May 1, 1935, Items 2310-L of Southern Pacific Company Tariff No. 730-D, C.R.C. No. 3353; 1855 of The Western Pacific Railroad Company Tariff No. 36-F, C.R.C. No. 257; and 2430-A of The Atchison, Topeka and Santa Fe Railway Company Tariff No. 12375-C, C.R.C. No. 690, providing reduced rates for the transportation of cotton from and to points on respondents' lines in California. The tariffs were suspended upon protests from competing common carriers who alleged among other things that the rates therein were non-compensatory and unjustified.

The matter was set for public hearing at San Francisco. Before the proceeding was heard however respondents informed the Commission that they desired to withdraw the suspended rates. Permission to do so was granted by the Commission¹ and the suspended schedules are being cancelled effective March 25, 1935. The cause for suspension is

¹ Authorities Nos. 63-10830 (S.P.), 63-10842 (W.P.) and 63-10864 (A.T. & S.F.) of January 21, 28 and February 4, 1935, respectively.

thus being removed and our order of January 2, 1935, should be vacated and this proceeding discontinued as of March 25, 1935.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that our order of January 2, 1935, in the above entitled proceeding, suspending Items 2310-L of Southern Pacific Company Tariff No. 730-D, C.R.C. No. 3353; 1255 of The Western Pacific Railroad Company Tariff No. 36-F, C.R.C. No. 257; and 2430-A of The Atchison, Topeka & Santa Fe Railway Company Tariff No. 12375-0, C.R.C. No. 690, be and it is hereby vacated and this proceeding discontinued as of March 25, 1935.

Dated at San Francisco, California, this 25th day of February, 1935.

Leon A. Wiley

W. H. Cunn

W. B. Clavin

W. H. Cunn

Braun R. Levin

Commissioners.