

Decision No. 28487

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
THE ATCHISON, TOPEKA & SANTA FE RAILWAY
COMPANY, GREAT NORTHERN RAILWAY COMPANY,
LOS ANGELES & SALT LAKE RAILROAD COMPANY,
NORTHWESTERN PACIFIC RAILROAD COMPANY, SAN
DIEGO & ARIZONA EASTERN RAILWAY COMPANY,
SOUTHERN PACIFIC COMPANY, and THE WESTERN
PACIFIC RAILROAD COMPANY, on behalf of
themselves and all other carriers similarly
situated, for an order authorizing an in-
crease in certain freight rates and charges.)

Supplemental
Application
No. 19610.

BY THE COMMISSION:

NINTH SUPPLEMENTAL ORDER

ORIGINAL

By supplemental application filed December 11, 1935, and as amended December 21, 1935, the carriers listed in the Commission's Decision No. 27889 and in the several supplemental orders in the above entitled proceeding, particularly the orders in Decisions Nos. 27965, 27985, 28119, 28129 and 28227, seek (1) an order under Sections 15 and 24(a) of the Public Utilities Act authorizing them to publish, upon one day's notice, certain changes in the Tariff of Emergency Charges, No. 237-A, C.R.C. No. 576 of F.W. Gomph, Agent, and (2) authority to depart from Rules 2(d), 4(1), 10(a), 10(e), 10(g) and 12(a) of Tariff Circular No. 2.

The proposed amendments will result in reductions, and in changes involving neither increases nor reductions. Authority to put them into effect is sought for the purpose of correcting certain errors in tariff publication which have been discovered subsequent to the issuance of earlier supplements; for the purpose of clarifying the tariff in order to avoid ambiguity; and for the purpose of readjusting emergency charges on the articles affected so that they will be in harmony with the emergency charges on articles of a kindred nature. The changes herein sought were published on interstate traffic effective December 7, 1935,

(except as otherwise provided), under and pursuant to special permission of the Interstate Commerce Commission, No. 149013 of November 11, 1935. The authority to depart from Rules 2(d), 4(1), 10(a), 10(e), 10(g) and 12(a) of the Commission's Tariff Circular is sought for the purpose of avoiding an alleged unreasonable printing expense that would be incurred if applicants were compelled to comply with each of those rules.

Upon further consideration of the record and of the supplemental application filed December 11, 1935, as amended, and in view of the decision of the Interstate Commerce Commission by its Special Permission No. 149013 of November 11, 1935, we are of the opinion that the relief sought should be granted, subject to the conditions and exceptions set forth in the original order in the above numbered application as modified herein or by prior supplemental order; and good cause appearing therefor,

IT IS HEREBY ORDERED that the above supplemental application, filed December 11, 1935, as amended, be and it is hereby granted, subject to the conditions in the original and prior supplemental orders, and only for the period ending June 30, 1936.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 6th day of January, 1936.

Leon Whitney

W. H. Linn

W. B. Linn

W. H. Linn

Frank P. Linn

Commissioners.