

Decision No. 4293

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of maximum and minimum, or maximum or minimum rates, rules and regulations of all common carriers, as defined in the Public Utilities Act of the State of California, as amended, and all highway carriers, as defined in Statutes 1935, Chapter 223, as amended, for the transportation, for compensation or hire, of any and all agricultural products.

ORIGINAL

Case No. 4293

BY THE COMMISSION:

ORDER VACATING AND SETTING ASIDE DECISION NO. 30737

By Decision No. 30737, dated March 28, 1938, in the above entitled proceeding, the Commission established minimum rates for highway carriers, and reasonable and sufficient rates for common carriers, to become effective April 29, 1938, for transportation of fresh fruits, fresh or green vegetables and nuts in quantities of 18,000 pounds or less, within defined territory in southern California. Thereafter, upon petition of Automotive Council of Orange County, Holly Sugar Company and Spreckels Sugar Company said order was amended by excluding citrus fruits and sugar beets. Also, upon petition of numerous common carriers alleging that tariff publication work could not be completed within the required time, the date on which the rates were to become effective was extended to May 23, 1938.

By petition filed May 7, 1938, common carriers on whose petition the original extension of time was granted seek a further extension of the effective date of the prescribed rates until not earlier than June 1, 1938, and ask that authority be granted to publish such rates between agency stations only. Moreover, a representative of the

California Farm Bureau Federation at a further hearing in this proceeding contended that the prescribed rates were unjust, unreasonable and discriminatory and sought vacation of the order in toto. Therefore, good cause appearing,

IT IS HEREBY ORDERED that Decision No. 30737 dated March 28, 1938, in the above entitled proceeding be and it is hereby vacated and set aside.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 13<sup>th</sup> day of May, 1938.

*Walter W. ...*  
*Leon ...*  
*Frank ...*

Commissioners