

Decision No. 31151

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

CALIFORNIA SUPPLY COMPANY,  
Complainant,

vs.

SOUTHERN PACIFIC COMPANY,  
Defendant.

Case No. 4329

ORIGINAL

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION AND ORDER

By Decision No. 30996 dated June 20, 1938, in the above entitled proceeding, the Commission authorized and directed defendant to refund to complainant without interest all charges collected in excess of 8 cents per 100 pounds on one of eleven shipments of vinegar in tank cars moving from Melrose to Mountain View during the period October 2, 1935, to May 27, 1936. Reparation was not ordered in connection with the other ten shipments, as they appeared to be barred by the Statute of Limitations. However, a further inspection of the Commission's files indicates that the complaint in this matter was originally filed April 11, 1938, and that three of the eleven shipments involved in the proceeding moved within the statutory period. Therefore, good cause appearing,

IT IS HEREBY ORDERED that defendant Southern Pacific Company be and it is hereby authorized and directed to refund to complainant California Supply Company, without interest, all charges collected in excess of 8 cents per 100 pounds for the transportation of shipments

of vinegar in tank cars moving from Melrose to Mountain View on  
April 16 and May 5 and 25, 1936.

Dated at San Francisco, California, this 1<sup>st</sup> day of  
August, 1938.

Raymond  
Leon  
Frank  
W. H. Riley

Commissioners.