

Decision No. 33256

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
by the Commission on its own Mo-)
tion into the rates, rules, regu-)
lations, charges, allowances, con-)
tracts, practices, operations and)
schedules, or any of them, of The)
Atchison, Topeka and Santa Fe)
Railway Company, Coast Line Ex-)
press, Coast Truck Line, H. Frasher)
Truck Line, Highway Transport Com-)
pany, Intercity Transport Lines,)
Inc., Keystone Express System, Mo-)
tor Freight Terminal Company, Inc.,)
Pacific Motor Transport Company,)
Pacific Motor Trucking Company,)
Richards Trucking and Warehouse)
Company, The River Lines, Sacra-)
mento Northern Railway, Tidewater)
Southern Railway, Valley Express)
Co., Valley Motor Lines, Inc., and)
The Western Pacific Railroad Com-)
pany.)

ORIGINAL

Case No. 3773

BY THE COMMISSION:

ORDER OF DISMISSAL

This proceeding was instituted by the Commission upon its own motion for the purpose of inquiring into the lawfulness and propriety of certain practices of respondents relating to the performance of pickup and delivery services incidental to line haul movements via common carriers.¹ Public hearings were held at San

¹ Specifically, the investigation related to such matters as (1) allowances to shippers and consignees or their agents for delivering to and/or picking at the carriers' depots freight on which store-door rates were provided, (2) performance of pickup and delivery services under contract with other parties at rates different from those allowed shippers and/or consignees, (3) split pickups and deliveries, (4) rates based on tonnage shipped during a designated period, (5) carriers acting as shippers' agents or freight forwarders, (6) indexing of stations, (7) posting of tariffs, and (8) extension of credit.

Francisco and Los Angeles and the matter was submitted on briefs. Thereafter the Commission issued Decision No. 27259, proposing the adoption of a general order affecting the matters involved, and the Commission reopened the proceeding for further hearing for the purpose of receiving objections and suggestions of parties affected by the proposed general order. Further public hearings were held, the matter was resubmitted and Decision No. 28759 was issued. In the latter decision the Commission adopted a general order (No. 92) providing rules and regulations governing split pickup and delivery rates of common carriers. In other respects the general order proposed by Decision No. 27259 was not adopted but the proceeding was held open for such supplementary order or orders as might be necessary. Following the issuance of Decision No. 28759 petitions for rehearing were filed and are now pending before the Commission.

Since the resubmission of this proceeding and the issuance of Decision No. 28759, important statutory changes have been made, particularly through the enactment of the Highway Carriers' and City Carriers' Acts; new investigation proceedings based upon the current statutes have been instituted; and orders disposing of the principal matters involved in this proceeding, including the matters referred to in General Order No. 92, have been issued. Under these circumstances, it appears that General Order No. 92 should be cancelled and that this proceeding should be discontinued.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that General Order No. 92, adopted by Decision No. 28759 in the above entitled proceeding, be and it

is hereby cancelled and that this proceeding be and it is hereby discontinued.

Dated at San Francisco, California, this 25th day of June, 1940.

Ray Z Riley
James R. Smith
Raymond A. Smith
H. B. M.

Commissioners