

Decision No. 35103

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of  
maximum or minimum, or maximum and mini-  
mum 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 Chapter 223, Statutes of 1935,  
as amended, for the transportation for  
compensation or hire, of any and all com-  
modities.

Case No. 4246

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

By petition, Western Pacific Railroad Company seeks authority to establish on two days' notice reduced class rates for the transportation of general commodities between various points and Hackstaff and reduced commodity rates for the transportation of refined petroleum products in bulk in tank equipment from shipping points to Hackstaff. The proposed rates are the same as those maintained by Southern Pacific Company from and to Amedee over that company's interstate route and are lower than the minimum rates prescribed by prior orders in this proceeding for intrastate transportation. Petitioner also requests that the reduced rates be made nonintermediate in application.

It is represented that the United States Army is about to construct an ammunition storage plant in the area located between Hackstaff and Amedee and that because of the lower interstate rates published by Southern Pacific Company, petitioner and its connecting carriers will be unable to participate in the traffic destined to the proposed storage facilities unless permitted to maintain similar rates. Short notice authority is said to be necessary inasmuch as actual construction of the proposed storage facilities will be undertaken immediately.

It appears that this is not a matter in which a public hearing is necessary and that the proposed deviation from the established minimum rates is necessary to afford petitioner and its connecting carriers competitive equality with Southern Pacific Company and its connections. The petitions will be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that The Western Pacific Railroad Company and connecting common carriers with which it maintains joint rates be and they are hereby authorized to publish and file nonintermediate in application and on not less than two (2) days' notice to the Commission and to the public for the transportation hereinbefore described rates from and to Hackstaff no lower than those maintained by Southern Pacific Company and connecting common carriers for like transportation from and to Amedec.

In all other respects Decisions Nos. 31606 and 32608, as amended, in this proceeding, shall remain in full force and effect.

This order shall become effective on the date hereof.

Dated at Los Angeles, California, this 3rd day of March,

1942.

Justin J. Quisenberry  
Ray L. Riley  
Francis H. Habens  
Richard H. Haskins  
Commissioners