

Decision No. 35510

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation on the Commission's own motion into the operations, rates, charges, contracts, and practices of EASTSIDE BUILDING MATERIALS CO., INC., a corporation, EASTSIDE HAULING CO., INC., a corporation, WILLIAM M. NICHOL, ARTHUR JANES, and RUDOLF WLADYKA.

Case No. 4603

BY THE COMMISSION:

ORDER AMENDING DECISION  
AND DENYING PETITION FOR REHEARING

A petition has been filed by Eastside Building Materials Co., Inc., and Eastside Hauling Co., Inc., for a rehearing of Decision No. 35342 issued May 12, 1942. Such petition has been fully considered. The intent of the order contained in said decision was to direct respondents Nichol, Janes and Wladyka to discontinue the practice of according special rates upon shipments ostensibly tendered by Eastside Hauling Co., Inc., but actually the shipments of Eastside Building Materials Co., Inc. The direction made in the second ordering paragraph that undercharges on past shipments be collected from Eastside Building Materials Co., Inc., was in error. This error may be corrected by merely eliminating any reference to past charges. With such a change made in the order, the Commission is of the opinion that no good reason appears for the granting of a rehearing; therefore, IT IS ORDERED that the second ordering paragraph of the order

