

Decision No. 56296**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of RAILWAY EXPRESS AGENCY,)
 INCORPORATED, a corporation, to increase)
 certain intrastate rates and charges for) Application No. 38038
 rail express service within the State of)
 California.)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 53783 dated September 18, 1956, in this proceeding Railway Express Agency, Incorporated, was authorized to effect a 7 percent increase in its first and second-class rates and charges and in various of its classification rates and charges applicable to its California intrastate traffic. The decision also found justified a proposed increase of 6 percent in applicant's rates and charges for the transportation of milk, cream and related products and in its terminal and switching charges on carload traffic. However, issuance of an order authorizing increases in the latter rates was deferred pending decision on an application of various railroad companies to establish increased rates on rail traffic (Application No. 37697). Applicant stated that an objective of its proposals with respect to its rates for milk and cream and for its carload terminal and switching services is to make those rates correspond to similar rates of the railroad companies.

Decision No. 55942 issued December 10, 1957, in Application No. 37697, authorized the applicant railroad companies to establish

increased rates, including an increase of 6 percent in their rates for milk, cream and related products and in their carload terminal and switching rates. An increase of this amount heretofore having been found justified in corresponding rates of Railway Express Agency, Incorporated, an order will now be issued authorizing the express company to increase its rates to this extent. Therefore, good cause appearing,

IT IS HEREBY ORDERED that Railway Express Agency, Incorporated, be and it is hereby authorized:

- (a) To increase by 6 percent its rates and charges for the transportation of milk, cream and related products and its terminal and switching charges on carload traffic, and
- (b) To establish and make effective rates and charges increased as herein authorized on not less than five days' notice to the Commission and to the public.

IT IS HEREBY FURTHER ORDERED that the authority herein granted is subject to the express condition that applicant will never urge before this Commission in any proceeding under Section 734 of the Public Utilities Code, or in any other proceeding, that the opinion and order herein constitutes a finding of fact of the reasonableness of any particular rate or charge, and that the filing of rates and charges pursuant to the authority herein granted shall be construed as consent to this condition.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall expire unless exercised within sixty days after the effective date hereof.

This order shall become effective twenty days after the date hereof.

Dated at Los Angeles, California, this 3rd day of MARCH 1, 1958.

E. N. ...
President

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E. Lynn Fox

Commissioners