

Decision No. 58753

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

AMERICAN LUMBER COMPANY, a corporation, et al.,)	
)	
Complainants,)	
)	
vs.)	
)	
THE ARCATA AND MAD RIVER RAILROAD COMPANY, et al.,)	
)	
Defendants.)	

Case No. 5727

ORDER DENYING REHEARING

On May 9, 1958, complainants filed a petition for rehearing with respect to Decision No. 56449, issued on April 1, 1958, in the above-entitled proceeding. This petition has been held in abeyance pending a decision in Case No. 6110, in which the Commission suspended the effective date of certain new rates proposed by the defendants here, and commenced an investigation into the reasonableness of said rates.

By Decision No. 58419, entered in said Case No. 6110 on May 12, 1959, said rates were found to be reasonable, and they became effective on June 1, 1959.

It seems probable that said rates will satisfy most, if not all, of the grievances alleged by the complaint in the present proceeding, and reasserted in said petition for rehearing. In any event, the effectiveness of the new rates makes moot most, if not all, of the issues raised by said petition for rehearing. Said petition will therefore be denied, but without prejudice to the filing of a new complaint by any of the complainants who may find itself aggrieved by the new rates.

Therefore, good cause appearing, IT IS ORDERED that said petition for rehearing be, and it is hereby denied, but without prejudice to the filing of a new complaint by any one of the complainants who may feel aggrieved by the rates presently established.

Dated at San Francisco, California, this 14th day of July, 1959.

Ewert W. F. [Signature]
 President

[Signature]

[Signature]

[Signature]

Theodore Jenner
 Commissioners