

Decision No. 69530**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of RAILWAY EXPRESS AGENCY,
 INCORPORATED, to increase intrastate
 rates and charges for surface express
 service.

Application No. 47396

SUPPLEMENTAL ORDER

In ordering paragraph 1 of Decision No. 69240 in this proceeding, Railway Express Agency, Incorporated, was authorized to establish certain increased rates and was directed to "comply with the requirements of Decision No. 31606, as amended in Cases Nos. 4246, 4808 and 5432, by increasing any rate lower than the established minimum rate for the transportation of shipments weighing 100 pounds or more up to the level of said minimum rate" (emphasis added). The quoted portion of ordering paragraph 1 was intended to give effect to the exemption from the minimum rates set forth in Finding 14 of Decision No. 31606 and later restated in Decision No. 52199. Under said decisions Railway Express Agency, Incorporated, and certain other carriers, are exempted from observing the minimum rates "for shipments of 100 pounds and less" (emphasis added).

Ordering paragraph 1 of Decision No. 69240 should be modified so as to be consistent with the exemption set forth in Decision No. 52199, therefore,

IT IS ORDERED that Decision No. 69240 in this proceeding is modified by:

- (a) Deleting ordering paragraph 1 thereof, which reads as follows:

"1. Railway Express Agency, Incorporated, is authorized to establish the increased rates proposed in Application No. 47396 and, in the establishment of said rates, shall comply with the requirements of Decision No. 31606, as amended in Cases Nos. 4246, 4808 and 5432, by increasing any rate lower than the established minimum rate for the transportation of shipments weighing 100 pounds or more up to the level of said minimum rate. Tariff publications authorized to be made as a result of the order herein may be made effective not earlier than ten days after the effective date hereof on not less than ten days' notice to the Commission and to the public."

(b) And by substituting therefor the following:

1. Railway Express Agency, Incorporated, is authorized to establish the increased rates proposed in Application No. 47396 and, in the establishment of said rates, shall comply with the requirements of Decision No. 31606, as amended in Cases Nos. 4246, 4808 and 5432, by increasing any rate lower than the established minimum rate for the transportation of shipments weighing more than 100 pounds up to the level of said minimum rate. Tariff publications authorized to be made as a result of the order herein may be made effective not earlier than ten days after the effective date hereof on not less than ten days' notice to the Commission and to the public.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 18th day of August, 1965.

Frederick B. Holcomb
President
George G. Grover
Commissioner

Commissioner George G. Grover, being necessarily absent, did not appear in person in the disposition of this proceeding.