

Decision No. 75601**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of B. B. MAURER, AGENT, for )  
authority to increase Demurrage )  
Charges on California Intrastate )  
traffic commensurate with Inter- )  
state Demurrage Charges. )

Application No. 50324  
(Filed June 17, 1968)

ORDER RESCINDING ORDER GRANTING  
REHEARING AND DISMISSING APPLICATION

By this application, B. B. Maurer, Agent, Trunk Line-Central Territory Railroads Tariff Bureau, seeks authority to amend the average agreement provisions of the demurrage rules in his Freight Tariff 4-I. The authority was granted without hearing by Decision No. 74508 dated August 6, 1968. Upon petition of California Manufacturers Association rehearing was ordered by the Commission in Decision No. 74591, dated August 21, 1968.

The application states that the proposed amendment to the tariff is intended to correspond with revisions in the rule applicable to interstate traffic. The Interstate Commerce Commission suspended the application of this rule in I & S Docket No. 8419.

We are informed by applicant that it is not expected that proceedings before the Interstate Commerce Commission in said Docket No. 8419 will be concluded at an early date. Applicant has suggested that the authority granted by Decision No. 74508 may be canceled without prejudice to the right of applicant to renew its request for such authority following action by the Interstate Commerce Commission on the matter.

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The ground for the petition for rehearing of California Manufacturers Association was the fact that the rule had been suspended with respect to interstate traffic. In the circumstances, we conclude that the Order Granting Rehearing should be rescinded, the authority granted in Decision No. 74508 should be canceled, and the application should be dismissed without prejudice; therefore,

IT IS ORDERED that:

1. The order granting rehearing in Decision No. 74591 is rescinded.
2. The authorities granted in Decision No. 74508 are canceled.
3. Application No. 50324 is dismissed without prejudice.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 29<sup>th</sup>  
day of APRIL, 1969.

William Sproull  
President

August

John P. Thomasset

W. H. Brown

Commissioners