

affected thereby a statement in writing of its reason for such suspension may suspend the operation of such schedule and defer the use of such rate, fare, charge, classification, regulation or practice but not for a longer period than one hundred and twenty days beyond the time when such rate, fare, charge, classification, regulation or practice would otherwise go into effect; and after full hearing, whether completed before or after the rate, fare, charge, classification, regulation or practice goes into effect, the Commission may make such order in reference to such rate, fare, charge, classification, regulation or practice as would be proper in a proceeding initiated after the rate, fare, charge, classification, regulation or practice had become effective. If any such hearing cannot be concluded within the period of suspension, as above stated, the Commission may, in its discretion, extend the time of suspension for a further period not exceeding thirty days. And if the proceeding has not been concluded and an order made at the expiration of such thirty days, the proposed change of rate, fare, charge, classification, regulation or practice shall go into effect at the end of such period, but in case of a proposed increased rate or charge, the Commission may by order require the said proponent or proponents to keep accurate account in detail of all amounts received, by reason of such increases, specifying by whom and in whose behalf such amounts are paid, and upon completion of the hearing and decision, may, by further order, require the said proponent or proponents to refund with interest, to the persons in whose behalf such amounts were paid, such portion of such increased rates or charges as by its decision shall be found not justified. At any hearing involving any new schedule as hereinbefore in this section provided after the passage of this Act, the burden of proof to show that each proposed new schedule or any part thereof is just and reasonable shall be upon the said proponent or proponents by whom or on whose behalf such new schedule has been filed, and the Commission shall give to the hearing and decision of such questions preference over all other questions pending before it and decide the same as speedily as possible.

1927, ch. 335, sec. 364B.

364B. If upon the hearing of any petition filed with the Public Service Commission at any time by a public service corporation, company or individual, it shall be made to appear to the satisfaction of the Commission that the public interest requires a change in a rate, fare, charge, classification, regulation or practice, or that such change is necessary for the purpose of providing adequate and efficient service, or for the preservation of property, the Commission, upon such terms, conditions or safeguards as it deems proper, may authorize an immediate reasonable, temporary increase in a rate, fare or charge, or a change in a classification, regulation or practice.

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This section applies only between carriers and users of their facilities; no application to commissions paid by taxi company to third persons. *Mundon v. Taxicab Co.*, 151 Md. 455.

Cited but not construed in *Ruark v. Engineers' Union*, 157 Md. 585.