

Decision No. 17106

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Pacific Electric Railway Company, a)
Corporation, for permission to amend)
and cancel certain routing provisions)
published in Items Nos. 60 and 90, of)
Pacific Electric Railway Company's)
Circular F.D. No. 337-A, C.R.C. 268.)

Application No. 12824

Geo. F. Squires, for Applicant
L.R. Guerra, for Pan American Petroleum Co., Protestant.

BY THE COMMISSION:

O P I N I O N

This is an application by the Pacific Electric Railway Company for permission, under Section 63 of the Public Utilities Act to cancel the following routings published in Pacific Electric Railway Company's Circular F.D. No. 337-A, C.R.C. No. 268:

Item No. 60 -- Between San Pedro-Wilmington and Long Beach via Dominguez Junction and North Long Beach, and via Dominguez Junction and East Long Beach.

Item No. 90 -- Between Watts and points beyond and Long Beach via Dominguez Junction and North Long Beach and via Dominguez Junction and East Long Beach.

A public hearing was held at Los Angeles June 16, 1926 before Examiner Geary and the matter having been duly heard and submitted is now ready for an opinion and order.

In support of its application, Pacific Electric Railway Company alleges it is necessary ~~in order~~ to bring the routing provision into conformity with the present established switching limits of the City of Long Beach, as published in Pacific Electric

Railway Company's Terminal Tariff No. 2-G, C.R.C. No. 77 and via the newly created route recently constructed over the so-called Daisy Avenue line, placed in operation January 2, 1926, and which supplies a more direct and shorter route between the City of Long Beach and the stations of North Long Beach and East Long Beach, compared with the routings now provided in Items Nos. 60 and 90 of C.R.C. No. 268.

It is further alleged that it is impossible to route freight between San Pedro-Wilmington and Long Beach via Dominguez Junction and North Long Beach or via Dominguez Junction and East Long Beach, because of the franchise restrictions of the City of Long Beach prohibiting the operations of freight trains over applicant's line of railway on American Avenue in the City of Long Beach and other tracks located within the business and residential districts of the said City of Long Beach.

The routings to be cancelled were established to meet the conditions previously existing by reason of the fact that applicant formerly published switching limits for the City of Long Beach extended to Anser Street at the time when the operation of freight trains was permitted through the business and residential districts of the City of Long Beach via Broadway and 3rd Street and over prior existing tracks on Ocean Avenue in the City of Long Beach.

The only opposition to the granting of the application was presented by the Pan American Petroleum Company, which company owns and operates a refinery at Watson, a point located on applicant's line between Wilmington and Dominguez Junction. This company objected to the granting of the application for the reason that it would create increases in certain carload freight rates, because under the present routing provisions Watson is intermediate to Long Beach and East Long Beach on traffic moving between these points and Wilmington. It was agreed at the hearing that applicant would give

consideration to the publication of certain freight rates to and from Watson which would satisfy protestant's requirements. This matter has now been consummated and the Commission furnished with a stipulation made a part hereof, wherein the applicant is to establish certain rates effective concurrently with the cancellation of the routing via Dominguez Junction and East Long Beach and Dominguez Junction and North Long Beach and the protestant has withdrawn its objections.

Upon consideration of all the facts on record, we are of the opinion and find that applicant should be permitted to cancel the routing between San Pedro-Wilmington and Long Beach via Dominguez Junction and North Long Beach and via Dominguez Junction and East Long Beach; also cancel routing between Watts and points beyond and Long Beach via Dominguez and East Long Beach and via Dominguez Junction and North Long Beach as published in Items Nos. 60 and 90 of Pacific Electric Railway Company's Circular F.D. No. 337-A, C.R.C. 268, and publish in lieu thereof the carload commodity rates to and from Watson agreed to subsequent to date of hearing.

O R D E R

This application having been duly heard and submitted, full investigation of the matters and things involved having been had, and basing this order on the findings of fact, and the conclusions contained in the opinion which is hereby referred to and made a part hereof;

IT IS HEREBY ORDERED, that the application of Pacific Electric Railway Company be granted, and applicant is hereby authorized and directed to cancel the routing provisions published in Items Nos. 60 and 90 of Pacific Electric Railway Company's Circular F.D. No. 337-A, C.R.C. No. 268 between San Pedro-Wilmington and Long Beach via Dominguez Junction and North Long Beach and via

Dominguez Junction and East Long Beach and routing between Watts and points beyond, and Long Beach via Dominguez Junction and North Long Beach, and Dominguez Junction and East Long Beach, and publish in lieu thereof certain carload commodity rates to and from Watson, as set forth in letter from the applicant dated June 28, 1926.

Dated at San Francisco, California this 13th day of July, 1926.

H. B. Brundage

Ernest C. ...

Leon ...

Commissioners.