



A public hearing on said application was conducted before Examiner Satterwhite at Sacramento, the matter was submitted and is now ready for decision.

Applicant proposes to charge the same rates as now charged to Ben Ali and Martin's Store from the various points at present authorized to be served by applicant and to operate on a time schedule in accordance with Exhibit A attached to said application.

Applicant proposes to operate with the equipment which he now has in service over his present bus line, together with any additional equipment as may be necessary.

Sacramento Northern Railway protested the granting of said application.

A considerable number of witnesses testified both for applicant and Sacramento Northern Railway, protestant.

The record shows that the territory proposed to be served under the extension herein sought by applicant is what is commonly known as Del Paso Heights. This territory was sub-divided several years ago and is located north of said Arcade Boulevard and on the east and west side of the tracks of the Sacramento Northern Railway.

The record shows that the proposed extended bus service will parallel at a distance of about 375 feet the rail line of the protestant, commencing at Arcade Boulevard and traversing said Rio Linda Boulevard to Grand Avenue, a distance of approximately 3/4 of a mile. It appears that this territory, known as Del Paso Heights, which is situated generally on both sides of the electric rail line, has an estimated population of about seven or

eight hundred people and about 200 houses. The majority of these houses are situated along and in the near vicinity of Rio Linda Boulevard and on either side of the electric railway.

Witnesses called by applicant endorsed the proposed extended bus service, primarily on the basis that those who desire to patronize the bus service are at present compelled to walk at least from one block to one-half mile and in some instances three-quarters of a mile. Many of applicant's witnesses admitted that they travel to Sacramento almost exclusively in their own automobiles and patronize only occasionally either the electric line or the bus service and also that a large number of other residents have their own machines and not only use them in going to Sacramento, but frequently take their neighbors along with them.

The evidence shows that this outlying residential district has had a gradual growth and that its present small population represents a development covering about 8 or 10 years.

Two business men, one a real estate broker and the other a building contractor who reside in this section, appeared at the hearing, and endorsed the proposed extended bus service chiefly upon the grounds that the additional service would attract new home seekers to the territory and bring about a more rapid growth of this district. Each of these witnesses, however, admitted that they use their own automobiles almost exclusively and have patronized only occasionally either the electric service or bus line. Other witnesses of applicant testified to the effect that the extended bus service would afford more frequent time schedules for this district and permit the

housewives to shop more conveniently at Sacramento, as well as give the residents a better opportunity to attend the theaters or other forms of entertainment in the evenings. Applicant offered no testimony at all showing that any complaints had ever been made to the Sacramento Northern with reference to the sufficiency or character of its service or its equipment.

The Sacramento Northern Railway, protestant, offered considerable oral testimony to the effect that its service has been at all times adequate, together with documentary evidence consisting of several exhibits which indicate clearly that for several years last past everything has been done by this rail carrier to render a satisfactory service and to meet the needs of the people in this section.

This electric line has three stations known as Hagginwood, Brooke and Del Paso, which serve the territory between Arcade Boulevard and Grand Avenue now sought to be served by applicant. A study of protestant's Exhibit No. 1, being a map of this territory, makes it apparent that all residents west of the electric rail line will have a shorter distance to walk to these rail stations than to the bus service proposed to parallel the rail line on Rio Linda Boulevard, distant 375 feet east of the rail line, as hereinabove indicated, and it appears to us that the distance to the rail line which many of the residents living along or near Rio Linda Boulevard are obliged to cover, is inconsequential in view of the service rendered by the protestant, as disclosed by the record.

The evidence of protestant shows as indicated by its Exhibits Nos. 2 and 3 that many years last past it has oper-

ated both southbound and northbound train schedules calculated to meet all the demands of this particular section. Protestant's Exhibit No. 2 shows that from August 12, 1923, to May 25, 1924, 13 southbound trains and 12 northbound trains were operated between Sacramento and Del Paso station and way stations. From May 25, 1924, to December 7, 1924, 14 southbound and 14 northbound trains were operated between the same points. From December 7, 1924, to September 20, 1925, on account of the lack of patronage, the above service was slightly reduced and 11 northbound trains and 10 southbound trains were operated. From September 20, 1925, to the present time 11 northbound trains and 9 southbound trains have been operated. The foregoing schedules in both directions have been maintained as a daily service.

The record shows that a special theater train was voluntarily operated from August 12, 1923, to September 7, 1924, a period of 15 months, for the accommodation of Del Paso residents, but was cancelled by reason of the absolute lack of patronage.

There are several school children in this district who attend school in Sacramento and it appears that train No. 17, leaving Del Paso station at 8:05 a.m. <sup>has</sup> for several years been and is now operated for the benefit of these school children. In order to accommodate the housewives in this territory, with reference to convenient shopping hours at Sacramento, two trains were operated for a year and a half, one leaving at about 9:15 a.m. and another at 10:30 a.m., but were finally discontinued for lack of patronage.

For several years a commutation service has been maintained by protestant for the benefit of Del Paso Heights, by the operation of several trains called the Elverta Commute Trains between Sacramento and Elverta and the evidence shows

that the bare operating or "out of pocket" cost of these trains exceed their revenues. The record discloses the fact, as shown by protestant's Exhibit No. 7, that these Commute Trains from January to September, 1925, had an operating cost of \$9,556., with a revenue only of \$6,607.64, indicating a deficit of \$2,948.36. A study and comparison of the proposed time table of applicant's proposed extended service with that of protestant's present service between the points sought to be served makes it obvious that the proposed bus extension is practically and substantially a duplication of the schedules of the electric rail service between Sacramento and Del Paso Heights. For illustration, the schedules of the Sacramento Northern and of the applicant are as follows:

Sacramento Northern - Southbound Trains.

A. M.				P. M.			
6:40	7:11	8:05	10:25	2:24	4:40	6:15	10:31

Applicant - Southbound Busses.

6:30	7:15	9:00	9:30	12:30	2:30	5:10	7:30	9:30	10:30
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It is to be noted that applicant does not propose to operate inbound busses between 9:30 a.m. and 12:30 p.m. and the Sacramento Northern operates no trains between 10:25 a.m. and 2:24 p.m. A comparison of this exhibit, with reference to the outbound schedules discloses a similar and substantial duplication of the present electric rail service.

L. I. McKim, Assistant General Passenger Agent of Sacramento Northern Railway, testified to the effect that this protestant has for many years past maintained a service to meet all the transportation needs of Del Paso Heights and that said service has been adequate in every respect; that time schedules have been maintained to meet the demands of its patrons and that it has always been willing to furnish necessary equipment and increased train facilities

to handle satisfactorily all passenger traffic.

This Commission has frequently held on applications for certificates of public convenience and necessity, particularly where an extended passenger service is proposed which will virtually parallel an existing carrier, that it is incumbent upon applicant to make a clear and affirmative showing to the effect that existing transportation facilities of such carriers are inadequate or unsatisfactory. We are of the opinion that such a showing has not been made by applicant in support of his proposed extended service to Del Paso Heights.

After a careful consideration of all the evidence in this proceeding, we are of the opinion and hereby find as a fact that public convenience and necessity do not require the proposed extended bus service of applicant and that the application should be denied.

O R D E R

A public hearing having been held in the above entitled application, the matter having been submitted, and being now ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA hereby declares that public convenience and necessity do not require the proposed extended service of applicant between Sacramento and Del Paso Heights, and

IT IS HEREBY ORDERED that said application be and the same is hereby denied.

Dated at San Francisco, California, this 14th day of March, 1927.

Wm. J. McGee  
W. B. ...  
C. ...  
Leon ...  
John ...  
Commissioners.