

Decision No. 18593

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

The Municipal League, a voluntary organization of the citizens of the City of Los Angeles, State of California,

Complainant,

vs.

Case No. 970

The Southern Pacific Company, Atchison, Topeka & Santa Fe Railway Company, and San Pedro, Los Angeles & Salt Lake Railroad Company,

Defendants.

The Central Development Association of Los Angeles, a voluntary organization of the citizens of the City of Los Angeles, State of California,

Complainant,

vs.

Case No. 971

The Southern Pacific Company, Atchison, Topeka & Santa Fe Railway Company, San Pedro & Santa Fe Railway Company, San Pedro, Los Angeles & Salt Lake Railroad Company,

Defendants.

The Civic Center Association of Los Angeles, a corporation of the citizens of the City of Los Angeles, State of California,

Complainant,

vs.

Case No. 972

The Southern Pacific Company, The Atchison, Topeka & Santa Fe Railway Company, San Pedro, Los Angeles & Salt Lake Railroad Company,

Defendants.

The City of Pasadena, a municipal corporation,

Complainant,

vs.

Pacific Electric Railway Company,
Southern Pacific Company, Atchison,
Topeka and Santa Fe Railway Company,
San Pedro, Los Angeles and Salt Lake
Railroad Company, and City of Los
Angeles,

Defendants.

Case No. 974

The City of Alhambra, a municipal corporation,

Complainant,

vs.

Pacific Electric Railway Company,
Southern Pacific Company, Atchison,
Topeka & Santa Fe Railway Company,
San Pedro, Los Angeles and Salt Lake
Railroad Company, and City of Los
Angeles,

Defendants.

Case No. 980

The City of San Gabriel, a municip-
al corporation,

Complainant,

vs.

Pacific Electric Railway Company,
Southern Pacific Company, Atchison,
Topeka & Santa Fe Railway Company,
San Pedro, Los Angeles and Salt Lake
Railroad Company, and City of Los
Angeles,

Defendants.

Case No. 981

The City of South Pasadena, a municip-
al corporation,

Complainant,

vs.

Pacific Electric Railway Company,
Southern Pacific Company, Atchison,
Topeka & Santa Fe Railway Company,
San Pedro, Los Angeles and Salt
Lake Railroad Company, and City of
Los Angeles,

Defendants.

Case No. 983

In the Matter of the Application of)
SOUTHERN PACIFIC COMPANY and LOS)
ANGELES AND SALT LAKE RAILROAD COM-) Application No. 3346
PANY for approval of agreement for)
joint terminal facilities in)
Los Angeles, California.

Hugh Gordon, for Central Development Association
James H. Howard, City Attorney, and Roscoe R. Hess,
Deputy City Attorney, for City of Pasadena.
C. W. Barbrow, for Southern Pacific Company
A. S. Halsted and Fred E. Pettit, Jr., for Union
Pacific and Los Angeles & Salt Lake Railroad
Company
E. W. Camp, for The Atchison, Topeka & Santa Fe
Railway Company
Frank Karr, for Pacific Electric Railway Company

Jess E. Stephens, City Attorney, Milton Bryan,
Deputy City Attorney, and Max Thelen, Special
Counsel, for City of Los Angeles

H. H. Sanborn, A. B. Roehl and Spencer Thorpe, for
W. H. Daum, Intervenor.
H. R. Brashear, for Los Angeles Chamber of Commerce
George A. Damon for Regional Planning Commission
and City Planning Association
Will D. Gould, for Northwest Association

BY THE COMMISSION:

O P I N I O N

The facts and issues primarily involved in these proceedings, together with the early history thereof, are to be found in our prior Decisions Numbers 8901 and 9838 herein, and require no repetition here.

ACTION OF STATE SUPREME COURT

Subsequent to the rendition of Decision 9838, writs of review were obtained from the California Supreme Court by The Atchison, Topeka and Santa Fe Railway Company, the San Pedro, Los Angeles and Salt Lake Railroad Company and the Southern Pacific Company, and on December 19, 1922, that Court annulled our said Decision No. 9838 upon the ground that, by reason of the enactment by Congress of certain amendments to the Interstate Commerce Act in 1920,

"Full power and authority over the matter of union terminal depot facilities of the railroads who are largely engaged in interstate commerce * * * has been vested in the Interstate Commerce Commission under the terms of said amendatory act of 1920, and that by virtue thereof the Railroad Commission of California * * * has been divested of the power, authority and jurisdiction over that subject, sought by it to be exercised in the several proceedings before it and by the order presented for review herein." (The A.T. & S.F. Ry. Co. v. Railroad Commission, 190 Cal. 214; 211 Pac. 460.)

ACTION OF UNITED STATES SUPREME COURT

Affirming this result, but upon narrower grounds, the United States Supreme Court, in proceedings brought before it under writs of certiorari obtained by this Commission, declared, on April 7, 1924, that the only question before it was "whether the power to direct a new union station with its

incidents is committed exclusively to the Interstate Commerce Commission under the Act of 1920," and held that:

"Until the Interstate Commerce Commission shall have acted under paragraphs 18 to 21 of section 402 of the Transportation Act, the respondent railways can not be required to provide a new interstate union station and to extend their main tracks thereto as ordered by the State Railroad Commission."

The Court further said that such action requires "a certificate of the Interstate Commerce Commission as a condition precedent to the validity of any action by the carriers or of any order by the State Commission."

together with a finding "that the expense involved will not impair the ability of the carriers concerned to perform their duty to the public." (Railroad Commission v. Southern Pacific Company, 264 U.S. 331; 68 L. ed. 713.)

ACTION OF INTERSTATE COMMERCE COMMISSION

Subsequent to the rendition of the California Supreme Court's decision above mentioned, but prior to that of the United States Supreme Court, the City of Los Angeles filed with the Interstate Commerce Commission a petition asking that these carriers be required to erect a union passenger station in the City of Los Angeles substantially in the manner ordered by this Commission in its Decision No. 9838 (I.C.C. Docket No. 14,778). With reference to this action, the United States Supreme Court declared that the course pursued by the City of Los Angeles was correct. This Commission intervened on behalf of the City in said proceeding, and after lengthy hearings, the Interstate Commerce Commission, on July 6, 1925, issued its order.

Upon the rendition of the decision of the United States Supreme Court two other applications were filed with the Interstate Commerce Commission. In the first of these (Finance Docket No. 3556), the Southern Pacific Company and Southern Pacific Railroad Company sought authority to abandon

main line train operation over a portion of their railroad along Alameda Street in Los Angeles. In the second (Finance Docket No. 3569), these companies and the Los Angeles and Salt Lake Railroad Company together sought from the Interstate Commerce Commission certificates of public convenience and necessity approving a plan for the joint use of the present Southern Pacific passenger station in Los Angeles (sometimes referred to as the "Arcade Station") by said companies substantially in the manner requested several years ago by these carriers in Application 3346 before this Commission, which application had been dismissed by us in our Decision 9838 herein. In its Decision of July 6, 1925, above mentioned, the Interstate Commerce Commission found that public convenience and necessity does not require the construction proposed and described in this connection, and the application of these carriers involving authority to construct extensions looking toward such joint use of the said Southern Pacific Station (Finance Docket 3569) was denied.

Upon the issue presented by the complaint of the City of Los Angeles, however, the Interstate Commerce Commission declared that the service afforded by the present passenger stations of the Atchison, Topeka & Santa Fe Railway and Los Angeles and Salt Lake Railroad is "unreasonable and inadequate," and that the expenditure of considerable sums of money must at once be made in order to provide reasonable and adequate facilities in lieu thereof; that railroad service, except industrial freight-switching service, should be eliminated from Alameda Street, and that such action will force the Southern Pacific Company either to provide new means of access to its Arcade Station or to abandon the same and provide other

facilitates, the expenditure of substantial sums of money being required on the part of this carrier in either event. The Interstate body then found that these carriers are in a position to provide reasonable and adequate station facilities, and that "the expense involved will not impair their ability to perform their duties to the public." Thus the first requirement of the United States Supreme Court was met.

We shall not here recount in detail the discussion of the Interstate Commerce Commission upon the general subject of a union passenger terminal in Los Angeles. Suffice it to say that that body approved the selection of a site for such a union passenger terminal within a described area near the Plaza in Los Angeles which had been made in our Decision No. 9838 herein, and, upon consideration of the evidence before it, and after a discussion of the advantages of such a solution of this problem, it declared that, in its opinion, a union passenger terminal could be erected upon the said Plaza area in compliance with our former order for a sum aggregating approximately \$9,500,000.00 or at a new money cost of about \$5,500,000.00. A large portion of this particular site is already owned by the Southern Pacific Company. The Interstate Commerce Commission further declared that future extensions or enlargements at the Arcade site would be considerably more expensive in its opinion than at the Plaza area, and it added that

"Adequate and convenient union passenger terminal facilities can be provided in the Plaza area at a considerably less net new money cost than less adequate and convenient facilities under applicants' Arcade plan, and for approximately the same net new money cost as a union passenger terminal of more questionable merit on the present Arcade site."

The Interstate Commerce Commission then made the following findings:

" 1. That the present and future public convenience and necessity permit the abandonment of operation of all passenger and freight train serv-

ice, except industrial freight-switching service, on the main line of the Southern Pacific on Alameda Street from College Street to East Fifteenth Street, inclusive, in the City of Los Angeles, Calif.

"2. That neither the present nor future public convenience and necessity require or will require the construction or extension by applicants of new or existing main lines of railroad in the City of Los Angeles, Calif., as described in the application in Finance Docket No. 3569.

"3. That the present and future public convenience and necessity require and will require (a) the extension by defendants of their respective main lines of steam railroad in the City of Los Angeles, Calif., so as to reach and properly serve any union passenger station and terminal within that portion of said City bounded by Commercial Street, North Main Street, Redondo Street, Alhambra Avenue, and the Los Angeles River, which they or any of them may construct and establish in accordance with a lawful order of the Railroad Commission of California, and (b) the extension of their respective main lines so as properly to provide for the rearrangement of passenger and freight routes incidental to the convenient and proper operation of such union passenger station and terminal.

"4. That the extensions referred to in the preceding paragraph are reasonably required in the interest of the public convenience and necessity, and that the expense involved therein will not impair the ability of defendants to perform their respective duties to the public.

"5. That, in addition to the abandonment of service on Alameda Street as above authorized, the present and future public convenience and necessity permit the abandonment by defendants of such portions of their respective main lines of steam railroad in the City of Los Angeles, Calif., or of the operation of all or any portion of the present interstate train service thereon as may be incidental to the rearrangement of passenger and freight routes, of tracks, and of terminal facilities, made necessary or proper in connection with the construction and establishment by defendants, in accordance with a lawful order of the Railroad Commission of California, of a union passenger station and terminal within that portion of said City described in paragraph 3 above.

"6. That the use by any defendant steam carriers of so much of the terminal main-line track or tracks of any of the other defendant steam carriers in the City of Los Angeles, Calif., as may be incidental, and necessary or convenient, to the proper operation of any such union passenger station and terminal as defendants or any of them, in accordance with a lawful order of the Railroad Commission of California, may construct and establish in that portion of said city described in paragraph 3 above, is in the public interest and is practicable, without substantially impairing the ability of the carrier or carriers owning or entitled to the enjoyment of such track or tracks to handle its or their own business.

"An order will be entered denying the application in Finance Docket No. 3569. We are not advised what action, if any, the Railroad Commission of California will take in connection with these matters, and under the existing circumstances we will issue no certificates or further orders at this time. We will retain jurisdiction of No. 14778 and Finance Docket No. 3556 for the purpose of making such further findings and orders and issuing such certificates as the record warrants. The findings and order now made are based upon the present record and upon the plans presented to us. If, in the development of a union passenger terminal plan, the carriers or the Railroad Commission of California evolve a plan considerably more extensive than, or materially different from, a plan for a station within the Plaza area as here considered to be in the public interest, our ultimate findings as to the public convenience and necessity, and as to impairment of the carriers' ability to handle their own traffic and to perform their duties to the public, will of course be based upon a consideration of those facts rather than upon the present record."

Thus the Interstate Commerce Commission provided for compliance with the second requirement of the United States Supreme Court.

FURTHER PROCEEDINGS BEFORE THIS COMMISSION

Subsequent to the rendition of this decision, and upon request of certain of the parties to these proceedings, this Commission reopened the above-entitled matters for further consideration and determination. Hearings were had before the Commission sitting en banc; evidence was taken from a large number of interested persons dealing with the subject from every angle, and voluminous briefs have been filed.

In view of our previous findings and order herein, and of the order and decision of the Interstate Commerce Commission relating to this matter, it would appear that in these reopened proceedings the chief question before us is whether, since the rendition of our Decision No. 9838 herein, any facts have developed or any events have occurred of such a character as to justify action on our part reversing the position which we have heretofore taken in this matter.

At the hearings in the reopened proceedings, after making certain technical objections to our jurisdiction to proceed further with these matters--which objections were overruled--the carriers again presented their plan for a solution of the passenger terminal problem in Los Angeles by the use of separate facilities, including the joint use of the Arcade station of the Southern Pacific Company by that Company and the Salt Lake Railroad Company, together with the erection of a new station on the part of the Santa Fe at its present passenger station site. While we have listened to this testimony and have received briefs dealing with the subject, it is our opinion that, in view of the action of the Interstate Commerce Commission in this matter, we could not now--even if we were so disposed--authorize or direct the execution of this plan. The proposal of the carriers, as presented to us in these reopened proceedings, is in all essential respects similar to that formerly presented to us in Application 3346, heretofore dismissed by us, and also to that presented to the Interstate Commerce Commission in Finance Docket 3569, which was denied. Except for slight changes in detail, and save for certain other minor changes in the proposed participation of the Pacific Electric Railway Company in the plan, it is the same as hereinbefore dismissed. Although in these reopened proceedings, we have given full opportunity for the production of all testimony desired to be offered in support of this plan for separated facilities, nothing, in our opinion, has been added to the record already before us in this connection which would impel us to reverse our former opinion as to this proposal. We will, therefore, again dismiss this application on the part of the carriers.

Since the date of our Decision 9838, certain of the dangerous grade crossings along the Los Angeles River have been and are being eliminated by means of the erection of viaducts crossing the river and the railroad tracks lying adjacent thereto and on both sides thereof, under and by virtue of orders issued by this Commission in a proceeding known as Application No. 9671 filed by the City of Los Angeles, County of Los Angeles, Atchison, Topeka & Santa Fe, Los Angeles and Salt Lake and Pacific Electric Railway companies. The Alameda Street grade crossings have not as yet been eliminated, nor has the Southern Pacific Company moved to eliminate main line train movements thereover--though conditions at these crossings are admittedly becoming worse day by day--save by again pressing before this Commission and the Interstate Commerce Commission the carriers' plan for separated facilities herein dismissed. Moreover, the Alameda Street situation has been somewhat changed and apparently aggravated by the interjection of certain Salt Lake trains using a portion of that street as a means of temporary access to the Arcade Station. Some freight movements have been transferred by the Southern Pacific Company from Alameda Street to the river bank tracks, but the evidence indicates that the situation along that street as a whole is no less aggravated than it was at the time of our former order herein.

Much evidence was introduced by the carriers in these reopened proceedings dealing with certain proposed participation of the Pacific Electric Railway, an electric street and interurban carrier and Southern Pacific subsidiary, in the carriers' separated facilities plan. There were also presented a number of proposals for union passenger terminals in the City of Los Angeles differing to a greater or less degree from those hitherto filed herein, and located both within the so-called Plaza site or area, as defined in our Decision No. 9838

herein, and in other locations. Such proposals were presented by W. E. Daum, who filed a complaint against these carriers (case No. 2177) praying for an order directing them to erect a union passenger depot at a site on the east bank of the Los Angeles River between Seventh and Ninth Streets; by the Municipal League of Los Angeles for a "twin station" with head houses on each side of the River near Sixth Street; by Mr. George D. Hall for a union station to face a new Plaza at the junction of Spring Street and Sunset Boulevard; by the Allied Architects' Association, through Mr. Charles H. Cheney, for a station with head house fronting on Temple Street and Los Angeles Street, with tracks extending north from Temple Street between Los Angeles and San Pedro Streets; by Mr. Joseph A. Stark for a station in an area bounded by Los Angeles, San Pedro, First and Market Streets, fronting on Los Angeles Street; by Mr. A. D. Austin for a station in an area bounded by First, Plaza, Main and Los Angeles Streets; and, after inquiry upon our part, a plan prepared in the offices of the carriers for a station within the Plaza area considerably greater in extent and different in character from those heretofore presented for a station within that area.

We have carefully considered the testimony adduced in favor of each of these several proposals, together with the briefs filed in support thereof, and while some of these plans appear to possess certain merit, it is our opinion that in the case of none of them has evidence or argument been produced before us sufficient to justify us in reversing our findings and rulings heretofore entered herein and presented to and approved by the Interstate Commerce Commission:

In this connection we should state that further testimony was presented, both by the City of Los Angeles and by certain members of this Commission's staff, upon the question of the availability, accessibility and propriety of the Plaza area, as defined

in our Decision No. 9638 herein, and in the Decision of the Interstate Commerce Commission in Docket 14,778, for a union passenger terminal station in Los Angeles. Much testimony was also adduced from various sources dealing with the probable cost of such a station. This testimony, in our opinion, fails to support the contention made on many occasions by the carriers that this plan involves the expenditure of "from twenty-five to forty-five millions of dollars." We find no basis in the evidence before us which would make possible such a contention, and we are of the opinion that the findings made by the Interstate Commerce Commission, as briefly outlined above, to the effect that an adequate union passenger terminal station, together with the necessary facilities for access thereto, can be constructed within this area for an amount approximating \$9,500,000.00, and at a net new money cost not to exceed approximately \$5,500,000.00, are not subject to serious question. Much of the testimony brought before us in these reopened proceedings concerned a proposal for a union station in the Plaza area presented by Mr. George S. Hill of this Commission's staff. (Commission's Exhibit 4-b herein.) This proposal is identical in all essential respects to the plan suggested by Mr. Hill before the Interstate Commerce Commission, that body having had it before it as illustrative of the possibilities of the Plaza area.

In its analysis of probable costs, the Interstate Commerce Commission has set forth its conviction that adequate passenger terminal facilities can be constructed by these carriers in this area, together with all necessary trackage connections and rearrangement, for a sum which it declares to be reasonable and proper. We find in the testimony before us no reason to doubt that the findings of probable cost so made by the Interstate Commerce Commission are correct, and we are of the opinion that adequate passenger terminal facilities can be erect-

ed upon this site for a cost of approximately \$10,000,000 gross, and of approximately \$5,500,000.00 net new money.

The Interstate Commerce Commission has made its findings definitely denying the application of the carriers to put into effect their plan for separated passenger terminal facilities, and it has also found that upon the rendition of a lawful order of this Commission requiring the erection of a union passenger depot within this area under plans not materially differing from those presented to it, it will issue its certificates in connection with these matters under the requirement of the decision of the United States Supreme Court.

We shall therefore enter herein an appropriate order. The effectiveness of our order herein will be specifically conditioned upon the promulgation by the Interstate Commerce Commission of such further certificates and findings as may be necessary or proper to authorize the construction, extensions and abandonment herein directed, it being our intent and purpose that the further findings and certificates mentioned by the Interstate Commerce Commission in its Decision in its Docket No. 14,778 and its Finance Docket No. 3556 be made prior to this order going into effect. We will direct our Attorney to call this matter to the attention of the Interstate Commerce Commission by proper petition.

ORDER

Complaints and an Application having been filed, as above entitled, said matters having been reopened for further hearing and determination, hearings having been had, testimony having been presented, briefs having been filed, the said matters having been submitted for decision, the Commission

having considered said testimony and briefs, and being now fully informed in the premises, and basing its order upon the findings hereinbelow set forth and upon such other findings and statements of fact as are included in the Opinion herein:

IT IS HEREBY FOUND AS A FACT:

(1) That the present and future public convenience and necessity permit the abandonment of operation of all passenger and freight train service, except industrial freight-switching service, on the main line of the Southern Pacific Company on Alameda Street from College Street to East Fifteenth Street, inclusive, in the City of Los Angeles.

(2) That neither the present nor future public convenience and necessity require or will require the construction or extension of new or existing main lines of railroad in the City of Los Angeles, as described in Application No. 3346 and in the record adduced herein.

(3) That the present and future public convenience and necessity require and will require (a) the extension by defendants in Cases No's 970, 971, 972, 974, 980, 981 and 983 of their main lines of steam railroad in the City of Los Angeles, so as to reach and properly serve a union passenger station and terminal within that portion of said City bounded by Commercial Street, North Main Street, Redondo Street, Alhambra Avenue, and the Los Angeles River, which they or any of them may construct and establish in accordance with our order herein, and (b) the extension of their respective main lines so as properly to provide for the rearrangement of passenger and freight routes incidental to the convenient and proper operation of such union passenger station and terminal.

(4) That the extensions referred to in the preceding paragraph are reasonably required in the interest of the public convenience and necessity, and that in our opinion the

expense involved therein will not impair the ability of defendants to perform their respective duties to the public.

(5) That, in addition to the abandonment of service on Alameda Street as above authorized, the present and future public convenience and necessity permit the abandonment by defendants of such portions of their respective main lines of steam railroad in the City of Los Angeles, or of the operation of all or any portion of the present train service thereon as may be incidental to the rearrangement of passenger and freight routes, of tracks, and of terminal facilities, made necessary or proper in connection with the construction and establishment by defendants, in accordance with our order herein, of a union passenger station and terminal within that portion of said City described in paragraph three (3) above.

(6) That the use by any defendant steam carriers of so much of the terminal main-line track or tracks of any of the other defendant steam carriers in the City of Los Angeles, as may be incidental, and necessary or convenient, to the proper operation of any such union passenger station as defendants or any of them, in accordance with our order herein, may construct and establish in that portion of said City described in paragraph three (3) above, is in the public interest, and is practicable, without, in our opinion, impairing the ability of the carrier or carriers owning or entitled to the enjoyment of such track or tracks to handle its or their own business.

(7) That the present and future public convenience and necessity require and will require the construction by defendants, Southern Pacific Company, The Atchison, Topeka & Santa Fe Railway Company and the Los Angeles and Salt Lake Railroad Company, and each of them, of a union passenger station within that portion of the City of Los Angeles described in paragraph three (3) above, together with such tracks, connections, and all other terminal facilities and additions, improvements

or changes in the existing railroad facilities of said defendants as may be reasonably necessary, convenient or incidental to the use of said union passenger station.

(8) That, in our opinion, an adequate union passenger station can be constructed within the said described portion of said City at a cost of approximately ten millions of dollars, in substantial compliance with the plan outlined in Commission's Exhibit No. 4-b herein, which said plan is hereby found to be in all essential respects similar to that certain plan for a union passenger station in said area considered by the Interstate Commerce Commission to be in the public interest in its Order and Decision of July 6, 1925, in its Docket No. 14,778, to which reference has been made hereinabove.

(9) That said plan for a union passenger station in said portion of said City, in our opinion, is and would be in the public interest and that its construction is practicable, without, in our opinion, impairing the ability of these carriers to perform their respective duties to the public.

(10) That said construction ought reasonably to be made.

WHEREFORE, IT IS HEREBY ORDERED:

(1) That the defendants, Southern Pacific Company, The Atchison, Topeka & Santa Fe Railway Company, and the Los Angeles and Salt Lake Railroad Company, and each of them, proceed to construct and thereafter operate a union passenger station within that portion of the City of Los Angeles bounded by Commercial Street, North Main Street, Redondo Street, Alhambra Avenue and the Los Angeles River, together with such tracks, connections, and all other terminal facilities and additions, extensions, improvements and changes in the existing railroad facilities of said Companies as may be reasonably necessary and incidental to the use of said union passenger station, at a cost of approximately ten million

dollars (\$10,000,000.00), in substantial compliance with the plan outlined in Commission's Exhibit 4-b herein.

(2) Work upon the construction of said union passenger station shall commence within ninety (90) days after the effective date of this order, and shall be completed within three (3) years after said date.

(3) Upon and after the construction of said union passenger station the operation by defendant Southern Pacific Company of passenger and freight train service, excepting only industrial freight switching service during hours hereinafter to be prescribed by proper authority, over that portion of its railroad between College Street and East Fifteenth Street, inclusive, in the City of Los Angeles, shall be abandoned and discontinued.

This above Order shall be and become effective from and after the promulgation by the Interstate Commerce Commission of an order issuing and granting proper and sufficient certificates or other appropriate order or orders covering and authorizing the construction, extensions and abandonments herein authorized or directed, it being the intent of this Commission that the issuance of such certificates or other order or orders on the part of the Interstate Commerce Commission shall be and constitute a condition precedent to the effectiveness of the said Order of this Commission;

To which end,

IT IS HEREBY FURTHER ORDERED, that the Attorney of this Commission forthwith file with the Interstate Commerce Commission a copy of this Order, together with such appropriate petition or application as may be necessary in the premises, requesting and praying that the Interstate Commerce Commission issue such certificates or other appropriate order or orders

as may be requisite or proper in order to render this Order effective.

The Railroad Commission reserves the right to make such further order or orders in these proceedings relating to the Construction, operation, modification and abandonment of facilities, to costs and division of costs, and to all other matters relating thereto, as may be determined by the Commission to be just and reasonable and as public safety, convenience and necessity may require.

IT IS HEREBY FURTHER ORDERED, that Application No. 3346, as above entitled, be and the same is hereby dismissed.

Dated at San Francisco, California, this 27th day of July, 1927.

Edmund G. ...
H. B. ...
...
Leon ...
...
Commissioners