

Decision No. 19346

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
Southern Pacific Company for an order
authorizing discontinuance of certain
passenger train schedules.

Application No. 14170.

H. W. Hobbs, for Applicant.

A. G. Herman, for Dinuba Chamber of Commerce.

WEITSELL, COMMISSIONER:

O P I N I O N

In this application Southern Pacific Company, a corporation, has applied to the Railroad Commission for an order authorizing the discontinuance of certain passenger train services, scheduled as follows:

Train No. 39 leaving Gerber at 6:20 A.M. and arriving at Chico at 7:15 A.M.

Train No. 48 leaving Chico at 11:00 P.M. and arriving at Gerber at 11:50 P.M.

Train No. 63-64 leaving Sacramento at 7:35 A.M. and arriving at Fresno (via Merced) at 1:35 P.M.

Train No. 65-66 leaving Fresno at 2:10 P.M. and arriving at Sacramento (via Merced) at 8:25 P.M.

Train No. 90-99 (gasoline motor car) leaving Fresno 7:05 A.M. and arriving at Visalia (via Exeter) at 10:09 A.M.

Train No. 97-98 (gasoline motor car) leaving Visalia at 2:00 P.M. and arriving at Fresno (via Exeter) at 4:25 P.M.

Train No. 91 leaving Bakersfield 6:55 P.M. and arriving at Lemoore (via Tulare) at 10:51 P.M.

Train No. 92 leaving Lemoore 7:44 A.M. and arriving at Bakersfield (via Tulare) at 11:06 A.M.

Public hearings on the above entitled application were had on November 23rd, 1927, at Visalia, Tulare County, and on December 23rd, 1927, at Chico, Butte County. At the latter hearing, the matter was duly submitted and is now ready for decision.

Applicant alleges that public convenience and necessity does not require the operation of train service above enumerated; that the discontinuance of said service is necessary in the interest of good and economic management; and, that the operation of said service is not profitable and casts an undue burden upon other traffic.

At the hearing at Visalia, Counsel for applicant stated that if the Commission is of the opinion that there is public convenience and necessity to be served in this particular locality, which the Southern Pacific Company can, with proper economy, give, the company stands ready to give such service, by any economical substitute, as may be considered satisfactory, such as the operation of a coordinated bus line. Counsel further stated that the Southern Pacific stands ready and willing to make an application through its proper subsidiary for the necessary certificate of public convenience and necessity for such bus service.

Applicant's Exhibit No. 1 shows the estimated annual net saving that would result from the discontinuance of passenger trains No. 91-92 (steam trains) and Trains Nos. 90-99-98-97 (gasoline motor cars) to be \$60,292.00.

Applicant's Exhibit No. 6 shows the number of pay passengers carried on Trains No. 39 and 48 between Chico and Gerber for the period from April 1st, 1927, to September 24th, 1927, as an average of three passengers per train per day.

Although notices of the hearings had been posted by applicant at all of its agency stations along the lines involved herein, the only appearances protesting the granting of the application were two parties residing at Dinuba, who appeared at the hearing

held at Visalia. Prior to the hearing at Visalia, the Commission had received an informal complaint from the Chamber of Commerce of Sanger, opposing the discontinuance of Train No. 90-99, but no one from this organization or from that city appeared at the hearing to protest the granting of the application.

The two protestants at Visalia stated that they realized the operation of these passenger trains was being conducted at a loss because of lack of patronage, but that the discontinuance of the service would cause an inconvenience to that district; that the district needed a connection to and from Southern Pacific Company's north and south bound main line trains in the morning and evening; that such service did not necessarily require steam train operation but would be satisfactory with either gasoline cars or bus service.

Careful consideration has been given to all of the evidence and exhibits introduced in this proceeding and I am of the opinion and find as a fact that the operation of the said passenger trains hereinabove enumerated are being conducted at a loss, owing to lack of patronage, and that public convenience and necessity do not justify the continuance of these trains.

The following form of order is recommended:

O R D E R

Public hearings having been held in the above entitled proceeding, the matter having been duly submitted and the Commission being fully advised, and basing its order on the findings of fact as appearing in the opinion preceding this order:

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to Southern Pacific Company to discontinue the operation of the passenger trains scheduled as set forth in the foregoing opinion.

The authority herein granted shall become effective on the date hereof.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 7th day of February, 1928.

Leon Whitell

Chas. J. ...

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M. J. ...

Commissioners.