

Decision No. 29926

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
SACRAMENTO NORTHERN RAILWAY for an
order authorizing (1) the abandonment
of Sunday passenger service between
Sacramento and Swanston, and (2) the dis-
continuance of trains Nos.150 and 151 between
Swanston and Globe, California.)
Application
No.15384

L. N. Bradshaw, for Applicant.

BY THE COMMISSION -

ORIGINAL

O P I N I O N

Sacramento Northern Railway, a corporation, has petitioned the Railroad Commission for an order authorizing the discontinuance of passenger train service on Sundays between Sacramento and Swanston and the discontinuance of trains Nos.150 and 151, operating daily except Sunday, between the stations of Globe and Swanston.

A public hearing on this application was conducted by Examiner Handford at Sacramento, the matter was duly submitted and is now ready for decision.

Applicant alleges in support of its petition for the discontinuance of Sunday service that the service was established to provide transportation between Sacramento and industries located at or near Swanston; that such industries do not operate on Sundays; that but eight or nine passengers offer for transportation on Sundays, the revenue from such passengers averaging less than one dollar on such days as against an out of pocket expense for wages, power, equipment and train supplies of approximately \$8.31 per day; and that the revenue received from operation of the Sunday trains does not justify their continuance.

Applicant alleges in support of its petition for the discontinuance of trains 150 and 151 between the stations of Globe and Swanston that said trains are not sufficiently patronized to justify

their continued operation and that the few workmen formerly transported on said trains now use other scheduled trains.

From exhibits filed by applicant at the hearing the following tabulations show the results of operation during the calendar year of 1928:

Operation of Sunday Swanston Passenger Trains
for year 1928

Revenue		\$ 36.15
Operating Expenses		
Maintenance of cars	\$ 46.50	
Maintenance of electric equipment of cars.	11.90	
Power	78.30	
Trainmen's wages	432.12	
Supplies for Cars	1.35	
Inspection and car cleaning	<u>45.80</u>	
		<u>616.47</u>
Annual deficit		\$ 580.32

Yearly cost of operating
Swanston Passenger Trains
Nos. 150 and 151

Maintenance of Cars		21.50
Maintenance of electrical equipment of cars		5.50
Power		36.40
Trainmen's wages		148.67
Supplies for cars		.60
Inspection and car cleaning		<u>21.20</u>
		\$ 233.87

Operation of all Swanston
Passenger Trains for year 1928

Revenue		\$1930.75
Operating expenses		
Maintenance of cars	\$ 380.00	
Maintenance of electrical equipment of cars	97.50	
Power	643.00	
Trainmen's wages	2411.58	
Supplies for cars	11.00	
Inspection and car cleaning	<u>374.00</u>	
		<u>3917.08</u>
Annual deficit		\$1986.33

The travel on the Swanston Branch of applicant's railway is limited in volume, a conductor operating on the line for the past four years testifying that no passengers have offered for transportation on train No.151 for the past two years, and that for the past three months no passengers have offered for transportation on train No.150; and that the average revenue on all Sunday trains does not exceed fifty cents.

The granting of the application is protested by C. Swanston & Sons and by the North Sacramento Land Company. These protests are based on the conditions of certain agreements made with the predecessors of applicants.

By agreement dated June 23, 1914, between George Swanston and Northern Electric Railway Company, a corporation, said railway agreed to operate cars for the carriage of passengers from its station at Eighth and "J" Streets, Sacramento, to a point on the Swanston Branch at least six round trips each day of the year, except when prevented by floods, the act of God, or other unavoidable causes, provided that one of the cars of said railway shall be scheduled to leave the station in Sacramento between the hours of 5:30 A.M. and 6:30 A.M. of each day, and one to leave the station on the Swanston Branch between the hours of 5:30 P.M. and 6:30 P.M. of each day. By agreement dated January 14, 1915, between George Swanston and John P. Coghlan, as Receiver for Northern Electric Railway Company, a corporation, the terms of the original agreement as regards frequency of service were confirmed, although the agreement contained the following provision:

"6. All provisions of this agreement with respect to the service to be rendered or the fares to be charged over said extension railroad are made subject to any valid regulation of such matters or orders affecting the same made or to be made by the Railroad Commission of California."

By agreement, dated January 16, 1915, between North Sacramento Land Company, a corporation, and John P. Coghlan as Receiver of Northern Electric Railway Company, a corporation, the terms and

conditions of a previous agreement between North Sacramento Land Company and Northern Electric Railway Company, (this agreement not being in evidence herein) were confirmed with some amendment and modification, and the agreement contains a similar clause as that previously referred to as existing in the agreement between George Swanston and John P. Coghlan, as Receiver for Northern Electric Railway Company.

The service on the Swanston Branch now provides eight trains in each direction, four of which are operated daily and the remaining four daily except Sunday. The proposed revision of schedule, while eliminating the Sunday trains which receive practically no patronage, will provide service in accordance with the following schedule on week days.

<u>Leave Sacramento</u>	<u>Arrive Swanston</u>	<u>Leave Swanston</u>	<u>Arrive Sacramento.</u>
6:10 A.M.	6:25 A.M.	6:28 A.M.	7:35 A.M.
6:25 A.M.	6:40 A.M.	7:13 A.M.	7:35 A.M.
7:40 A.M.	7:57 A.M.	8:00 A.M.	8:25 A.M.
3:30 P.M.	3:47 P.M.	3:50 P.M.	4:05 P.M.
4:25 P.M.	4:40 P.M.	5:10 P.M.	5:25 P.M.
5:30 P.M.	5:45 P.M.	6:13 P.M.	6:50 P.M.
6:35 P.M.	6:50 P.M.	7:18 P.M.	7:35 P.M.

The record herein shows the operation of the Swanston Branch passenger trains of the applicant to have been conducted at a material loss, the revenue not being sufficient to defray the direct cost of operation and giving no consideration to the expenses arising from maintenance of way, traffic or general expense, and with no allowance for depreciation, taxes or interest on investment. We therefore conclude, and hereby find as a fact, that the continued operation of trains Nos. 150 and 151, now scheduled to be operated daily, and the Sunday operation of all trains on the Swanston Branch, is not justified by the patronage

which has heretofore been accorded by the public, and that the application should be granted.

O R D E R

A public hearing having been held on the above entitled application, the matter having been duly submitted, the Commission being now fully advised and basing its order on the conclusion and finding of fact as appearing in the opinion which precedes this order,

IT IS HEREBY ORDERED that Sacramento Northern Railway, a corporation, be and it is hereby authorized to discontinue the operation of its trains Nos. 150 and 151 between Globe and Swanston, and to discontinue the operation of all Sunday trains on its Swanston Branch. Applicant is hereby directed to advise the public by posting notices of discontinuance of trains as herein authorized at its stations at Sacramento, Globe and Swanston and by posting notices in all passenger cars operated on its Swanston Branch for a period of ten (10) days prior to such authorized discontinuance.

The effective date of this order is hereby fixed as twenty (20) days from the date hereof.

Dated at San Francisco, California, this 24th day of

April, 1929.

Prosser
Spencer
Leon
COMMISSIONERS.