

Decision No. 21565.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of PENINSULAR RAILWAY COMPANY, a corporation, to abandon certain of its franchises and tracks in and about the City of Palo Alto, California.

Application No. 15903.

Arthur G. Shoup, for Applicant.

Norman E. Malcolm, for the City of Palo Alto.

A. E. Roth, for Stanford University.

LOUFTIT, COMMISSIONER:

O P I N I O N

In this application Peninsular Railway Company requests authority to abandon certain tracks, franchises and service in and about the City of Palo Alto, Santa Clara County. A hearing was held at Palo Alto on September 14th, 1929, notices of the hearing having been published in a Palo Alto newspaper and posted in the cars of applicant.

The proceeding involves the abandonment of the tracks along the State Highway and University Avenue, between Mayfield Junction and Palo Alto station of Southern Pacific Company, a distance of approximately two miles; also the changing of the connecting point between Southern Pacific Company and applicant from the Southern Pacific main station at Palo Alto (University Avenue) to the Southern Pacific station at Mayfield, now in the incorporated limits of Palo Alto, together with the abandonment

of service between Southern Pacific station at Palo Alto and Stanford University.

The greater portion of the track sought to be abandoned along the State Highway is constructed adjacent to the paved portion of the street, this being a portion of the electric interurban service between Palo Alto and San Jose. The Division of Highways has announced its intention to widen and improve the highway in this vicinity and has requested applicant to either remove its tracks or reconstruct them with girder rail in the center of the widened pavement.

The City of Palo Alto has passed a resolution of intention to pave University Avenue between the State Highway and the Southern Pacific tracks and the Council has stated that it is desirable, for the public welfare, that the tracks of applicant, which are now constructed in the center of this street, be removed and the rail service discontinued.

With respect to applicant's request to make the connection at the Mayfield station of Southern Pacific Company instead of at the main station at Palo Alto, it appears that such a change can be made without materially affecting the schedules of either Southern Pacific Company or Peninsular Railway Company and permit of the same train connections.

The record shows that the line which applicant proposes to abandon between the Southern Pacific station at Palo Alto and Stanford University is essentially a street car line. A portion of this line is operated over the same track as the interurban line, referred to above, and the remaining portion is over track on the University Campus which is owned by Stanford University and leased to applicant. Stanford University offers no objection to the abandonment of this service.

No protest to the granting of this application was made at the hearing and, after carefully considering the record in this proceeding, it appears desirable and in the public interest that applicant's request be granted and the following form of order is recommended.

O R D E R

Peninsular Railway Company, a corporation, having requested authority to abandon certain of its franchises and service on its lines located in and about the City of Palo Alto, County of Santa Clara, and to establish a new service between Mayfield Junction and Mayfield station of Southern Pacific Company, in said city, a public hearing having been held, the matter being under submission and ready for decision, therefore,

IT IS HEREBY ORDERED that Peninsular Railway Company be and it is hereby granted authority to abandon its tracks and service on that portion of its interurban line between Mayfield Junction, in the City of Palo Alto, and Southern Pacific Company's station at University Avenue, in the City of Palo Alto, a distance of approximately two miles; to abandon service on its so-called Stanford University Line between Southern Pacific station at University Avenue, Palo Alto, and Stanford University; and to operate a new service between Mayfield Junction and Mayfield station of Southern Pacific Company, subject to the following conditions:

- (1) Applicant shall give five (5) days' notice to the public and to this Commission of the abandonment of said service.
- (2) Coincident with the discontinuance of service between Mayfield Junction and Palo Alto station of Southern Pacific Company, applicant shall inaugurate service between Mayfield Junction and Mayfield station of Southern Pacific Company and shall arrange to have the same connections between its trains and those of Southern Pacific Company as now in effect at Palo Alto station.

IT IS HEREBY FURTHER ORDERED that applicant, Peninsular Railway Company, be and it is hereby authorized to cancel all rates and tariffs involved in the abandonment of the service described above.

The effective date of this order shall be the date hereof.

The foregoing opinion and order are hereby approved as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 17th day of September, 1929.

Thos. S. Lott

Leon Whitell

W. J. Linn

Commissioners.