

Decision No. 24234.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

<p>In the Matter of the Application of THE WESTERN PACIFIC RAILROAD COMPANY for permission to discontinue service for the transportation of passengers and their baggage between Niles and San Jose, California, and intermediate points.</p>)
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Application No. 17767.

BY THE COMMISSION:

ORIGINAL

O R D E R

The Western Pacific Railroad Company, a corporation, on November 4, 1931, applied for authority to discontinue service for the transportation of passengers and their baggage between Niles and San Jose, California, and intermediate points.

The Commission, in Decision No. 23837, dated June 29, 1931, in Application No. 17393, granted permission to applicant to discontinue the operations of its passenger trains between said points provided a substitute bus service is offered between these points. Applicant alleges that said bus service has been operated each day, commencing July 13, 1931, to and including October 21, 1931, at a cost to applicant of \$14.00 per day; that said motor bus carried but 214 passengers during that period, or an average of less than 2.1 passengers per day; that the total revenue derived by applicant from said passengers, including transportation on its main line, amounted to only \$1,774.13, or an average of \$17.56 per day and that the proportion of such revenue allocated to service between Niles and San Jose amounted to only

\$108.45. Applicant furthermore alleges that during the winter months, at least, the traffic will further decline and that public convenience and necessity do not require the continued operation of this line as an adequate service is provided by other carriers between San Jose and Niles and intermediate points on applicant's main line.

It appearing that a public hearing is not necessary herein and that the application should be granted,

IT IS HEREBY ORDERED that The Western Pacific Railroad Company is hereby authorized to abandon its motor bus service between Niles, County of Alameda, and San Jose, County of Santa Clara, State of California, and to change its station records and tariffs accordingly, subject, however, to the following conditions:

- (1) Applicant shall give not less than ten (10) days' notice to the public of said abandonment of service by posting notices in all busses operated in this service, as well as at the stations of Niles, San Jose and intermediate stations.
- (2) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the abandonment of the service authorized herein.
- (3) The authorization herein granted shall lapse and become void if not exercised within one year from the date herein authorized, unless further time is granted by subsequent order.

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

Dated at San Francisco, California, this 16th day of November, 1931.

Cl. Seaver
Leon Whitely
M. P. Lee
W. B. Karpis
Fred G. Stevens
 Commissioners.