

**ORIGINAL**

Decision No. 24821 .

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
CENTRAL CALIFORNIA TRACTION COMPANY  
(a corporation) for leave to abandon  
passenger service over a part or portion  
of its system, to wit, Sunnyside Line.

Application No. 17823

Gilbert L. Jones, for the Applicant.  
J. Leroy Johnson, for the City of  
Stockton, Interested Party.

BY THE COMMISSION:

O P I N I O N

In this application Central California Traction Company requests authority to abandon passenger service over a part of its system in the City of Stockton and the unincorporated portion of the County of San Joaquin northeast of the City of Stockton.

A public hearing was conducted by Examiner Kennedy at Stockton on January 20th, 1932.

The question of the abandonment of this street car service has been before the Commission on two other occasions, the latest application being No. 14159, which was filed in 1927 and denied by the Commission in its Decision No. 19256 dated January 12, 1928. The record of this former proceeding was entered by stipulation in the present application. A rather complete description of the lines, service and other facts in connection with this application are set forth in the decision referred to and will be but briefly repeated in this Opinion.

The Sunnyside line is a remnant of a local street car system which the applicant at one time operated in the City of Stockton in competition with the Stockton Electric Railroad Company and subsequently disposed of to that company. This particular line was retained by the Traction Company in order to maintain an interchange connection between its main line and The Western Pacific Railroad Company.

The service which applicant proposes to abandon is that of a shuttle car which operates from a connection with the Ophir Street line of the Stockton Electric Railroad Company at the intersection of Park and Ophir Streets, thence along Park Street, Wilson Way and Cherokee Lane to Hiawatha Avenue, a distance of .8 of a mile. A twenty-minute service between the hours of 6:20 A.M. and 11:50 P.M. is provided and transfers are issued to and received from the Ophir Street line of the Stockton Electric Railroad Company. The fare charged is the same as that in effect on the Stockton Electric Railroad, namely 7¢ cash, or four tokens for 25¢, and the tokens of the two companies are interchangeable. Under the existing transfer agreement the Stockton Electric Railroad Company receives the larger portion of the revenue, the Traction Company netting about 2¢ per passenger carried.

At the hearing in the present application the company filed exhibits showing the results of the recent operations of the company as to the entire property, but with particular reference to the Sunnyside operation. It appears that the revenue received from the operation of this line accruing to the Traction Company during the past three years has remained fairly constant at about \$1,500 per year, which is about 75 per cent of the annual revenue collected during the three years previous to the filing of the former application in 1927. Since about two-thirds of the revenue from the passengers using this Sunnyside line goes to the Stockton

Electric, it may be roughly estimated that these passengers pay to the two street railways of Stockton an annual revenue of approximately \$4,500 per year. The platform expense of the Sunnyside unit is about \$3,600 per year.

As set forth in the former decision, the question of whether or not this line pays as an individual unit is not the only measure of public necessity for its operation. The line is a part of the system of street railway transportation which was established to serve the City of Stockton as a whole and part of this system is still being operated at a profit, but by another company. Except for the difference in ownership, the Sunnyside line is in effect simply the extreme end of one of the lines of the Stockton Electric system and it would be unusual if such a unit, considered by itself, were operated at a profit.

The application was protested by a number of property owners and residents of the Sunnyside district. In general, their testimony was to the effect that they considered the street car service a convenience and necessity. Several of the witnesses also testified they would be willing to sacrifice the car service if the tracks were removed entirely from Cherokee Lane. That portion of the track which is in Cherokee Lane has been constructed along the northwesterly side of the road, close to the property line, and is maintained under right of a franchise granted by the Board of Supervisors of San Joaquin County under date of July 6, 1905. The position of these witnesses is that as long as they endured the inconvenience and annoyance of having freight trains move in front of their houses and places of business, the company should compensate by furnishing such street car service as the community needed.

In the record of the present application are certain factors which were not present at the time the previous application was denied. In this particular operation the applicant uses

600 volt power, whereas the remainder of the Central California Traction Company system, with the exception of certain tracks on Weber Avenue in the City of Stockton, which are in part operated jointly with the Stockton Electric Company, is operated on 1200 volts. Applicant has installed automatic substations which take care of all the 1200 volt operations and under normal conditions Stockton substation can also be operated without an attendant and supply 600 volt current for the Sunnyside line, the Weber Avenue tracks and a portion of the Stockton Electric system. At times of peak loads on the 600 volt line, however, occasioned by the use of the tracks for freight movement or heavy demand by the Weber Avenue joint tracks, it is necessary to provide an operator at this substation. To convert the Stockton Substation to complete automatic 1200 and 600 volt output, an expenditure of \$9,500 would be required and it is claimed that it is not practicable to convert the present street car to operate on 1200 volts.

While it is clear that an attendant at the Stockton Substation is required chiefly in connection with the freight operation rather than the Sunnyside line operation, it is a fact that if street car service on this line is discontinued, applicant can convert it to 1200 volt operation, dispense with the substation attendant and effect savings varying from \$310 to \$465 per month. The use of 1200 volt power would also improve the freight operations and permit the movement of full capacity trains at increased speed on the Western Pacific Interchange.

Another factor which appears in the present record is an offer of the operator of a bus line, which at present parallels that portion of the street car line lying outside the City of Stockton, to carry passengers to and from the district served by the street car for a 7¢ fare. This bus line, which is operated by Eicks and Rogers Transit Company, under a certificate granted in March 1926 by this Commission, in Decision No. 16212 in Appli-

cation No. 11549, now offers a thirty-minute service from 6:00 A.M. to 11:00 P.M. at a 10¢ fare from the business district of Stockton by way of Cherokee Lane and Waterloo Road to a point on the Waterloo Road slightly over a mile beyond the terminus of the car line. This operator is restricted from handling passengers whose easterly point of origination or destination is west of the junction of Waterloo Road and Cherokee Lane, this being territory which is now served by the Sunnyside line. If this restriction is removed so as to permit the operator of the bus to pick up and deliver passengers along the Cherokee Lane outside the city limits of Stockton, the residents of this district will receive service somewhat comparable to that offered by the street car, but without the transfer privilege with the Stockton Electric system which they now enjoy.

Here we have a condition of two parallel transportation lines, either of which is in a position to provide local service to the Sunnyside district and if the application is granted and the street car service discontinued, it would be to the advantage of both operators and, at the same time, not deprive the district of a reasonable local transportation service.

Under these circumstances we believe that the application should be granted subject, however, to the condition that the Hicks and Rogers Transit Company make application and be authorized to transport passengers at a 7¢ fare to and from that section of Cherokee Lane lying between the city limits of Stockton and its intersection with Waterloo Road.

An order will be entered accordingly.

#### O R D E R

Central California Traction Company having applied to the Commission for authority to abandon its passenger service

over its Sunnyside line, which is operated partly in the City of Stockton and partly in the unincorporated portion of San Joaquin County, a public hearing having been held and the matter submitted and ready for decision,

It is hereby found as a fact that public convenience and necessity no longer require that passenger service be provided on said line between the intersection of Park and Ophir Streets, in the City of Stockton, and the intersection of Cherokee Lane and Hiawatha Avenue in the unincorporated portion of San Joaquin County, if and when a substitute service by bus line, offering half-hourly service at a .7¢ fare is provided along Cherokee Lane from its intersection with Hiawatha Avenue to the easterly city limits of the City of Stockton; therefore,

IT IS HEREBY ORDERED that Central California Traction Company is hereby authorized, on ten days' notice to the public and this Commission, to discontinue operation of the above described passenger service and to cancel, in conformity with the rules of this Commission, all rate tariffs and time schedules applying thereto, subject to the condition that substitute bus service described above is provided.

Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the abandonment of said passenger service and of its compliance with the conditions hereof.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 28<sup>th</sup> day of March, 1932.

C. J. ...  
Leon ...  
W. A. ...  
W. B. ...  
John G. ...  
 Commissioners