

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of
THE ATCHISON, TOPEKA & SANTA FE RAIL-
WAY COMPANY (Coast Lines), SIERRA
RAILWAY COMPANY OF CALIFORNIA and
SOUTHERN PACIFIC COMPANY, for permis-
sion to increase class rates between
San Francisco, Sacramento, Stockton,
and other points on the Santa Fe and
Southern Pacific and points on the line
of Sierra Railway Company of California.

Application No. 301.

THE COUNTY OF TUOLUMNE, a political cor-
poration, and the CITY OF SONORA, a mun-
icipal corporation,

Complainants,

vs.

Case No. 359.

SIERRA RAILWAY COMPANY OF CALIFORNIA, a
corporation, THE ATCHISON, TOPEKA & SANTA
FE RAILWAY COMPANY, a corporation, and
SOUTHERN PACIFIC COMPANY, a corporation,

Defendants.

COUNTY OF CALAVERAS, a political cor-
poration, and CITY OF ANGELS, a municip-
al corporation,

Intervenors.

ANGELS LUMBER COMPANY, a corporation,

Complainant,

vs.

Case No. 379.

SIERRA RAILWAY COMPANY OF CALIFORNIA, a
corporation, THE ATCHISON, TOPEKA &
SANTA FE RAILWAY COMPANY, a corporation,
and SOUTHERN PACIFIC COMPANY, a corpora-
tion,

Defendants.

UTICA GOLD MINING COMPANY, a corporation,
and HOBART ESTATE COMPANY, a corporation,

Complainants,

vs.

Case No. 380.

SIERRA RAILWAY COMPANY OF CALIFORNIA, a
corporation, THE ATCHISON, TOPEKA &
SANTA FE RAILWAY COMPANY, a corporation,
and SOUTHERN PACIFIC COMPANY, a corpora-
tion,

Defendants.

ESHELMAN, Commissioner.

OPINION ON APPLICATION FOR REHEARING.

This case was decided on the 13th day of December, 1913, and the rates found to be reasonable were prescribed to become effective on the 2nd day of January, 1914.

Applications for rehearing have been filed on behalf of the Sierra Railway Company of California, the County of Tuolumne, the City of Sonoma, The Atchison, Topeka and Santa Fe Railway Company, the Southern Pacific Company, the West Side Lumber Company and twenty other unnamed pine lumber companies. All of these applicants for rehearing were parties to the original proceedings, except the lumber companies.

I find no merit whatsoever in the applications for rehearing filed in behalf of the parties to the proceeding. All of the questions raised, except the single question of passenger fares, were passed upon and fully considered in the decision heretofore rendered. As far as the passenger rates of this carrier are concerned such slight evidence was introduced that the Commission did not feel justified in attempting any adjustment. If any adjustment is necessary it will be proper and possible for the parties here asking for a rehearing to file a new application and prepare themselves to present facts upon which the Commission can rule upon these questions.

The lumber companies are in somewhat different condition than the others applying for rehearing, but I find it unnecessary to grant a rehearing in their behalf because any complaint which these companies may have can be better determined in a proceeding which is now pending before this Commission, entitled "San Francisco Chamber of Commerce vs. Southern Pacific Company, Case No. 27", which is to be considered by this Commission on February 1, 1914, as well as other cases to be heard jointly with the cases here cited. The local lumber rates of the Sierra Railway Company were substantially raised and careful consideration

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The lumber companies are in somewhat different condition than the others applying for rehearing, but I find it unnecessary to grant a rehearing in their behalf because any complaint which these companies may have can be better determined in a proceeding which is now pending before this Commission, entitled "San Francisco Chamber of Commerce vs. Southern Pacific Company, Case No. 417", which is to be considered by this Commission on February 16, 1914, as well as other cases to be heard jointly with the case here cited. The local lumber rates of the Sierra Railway Company were substantially raised and careful consideration

was given to this matter both as affecting the revenue of the carrier here involved and as to the volume of the rates themselves. In the proceeding referred to, wherein practically all of the lumber rates of the State of California are to be considered, the Commission can well determine the rates applying from Oakdale upon the lines of the Southern Pacific Company and the Atchison, Topeka and Santa Fe Railway Company, and if it be found that the local rates applying from Oakdale, which enter as a factor in the rates which must be paid by the lumber companies located upon the lines of the Sierra Railway Company, are too high or discriminatory, they may be changed so as to give the lumber companies here involved the consideration to which their locality entitles them.

I, therefore, suggest that these lumber companies apply immediately to intervene in the cases here cited so that they may be heard with reference to this matter at the hearing on February 16th.

As far as the Southern Pacific and Santa Fe are concerned, their suggestion that the rates prescribed are confiscatory as to them before it is known by them what the division of the rates will be to which they are entitled, hardly deserves mention.

I recommend the following order:

O R D E R .

The cases here involved having heretofore been heard and evidence having been submitted, and full consideration given to such evidence and a decision rendered; and thereafter applications for rehearing having been filed in behalf of the Sierra Railway Company of California, the County of Tuolumne, the City of Sonora, the Atchison, Topeka and Santa Fe Railway Company, the Southern Pacific Company, the West Side Lumber Company and various other unnamed lumber companies, and said applications being fully considered, and the Commission being

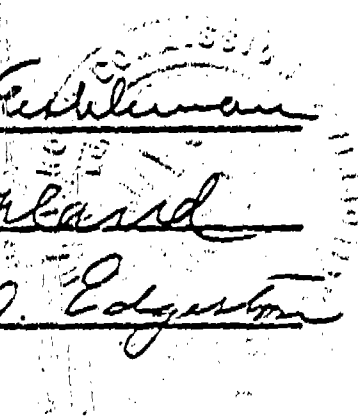
of the opinion that there is not sufficient merit in said applications to warrant a rehearing or a resubmission of evidence,

IT IS HEREBY ORDERED that the above applications be and the same are hereby denied.

The rates heretofore ordered are to become effective fifteen (15) days from the date of this order.

The foregoing opinion and order on application for rehearing 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 30th day of January, 1914.


John M. McMillan
H. H. Howard
Edwin O. Edgerton

Commissioners.