

BEFORE THE RAILROAD COMMISSION  
OF THE STATE OF CALIFORNIA.

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ORIGINAL

In the Matter of the Application of  
SOUTHERN PACIFIC COMPANY for relief  
from the provisions of Section 21,  
Article XII, of the Constitution of  
California, relating to long and  
short hauls.

Case No. 214.

(Application No. 5)

George D. Squires for applicant.

ESHELEMAN, Commissioner.

O P I N I O N .

On December 30, 1911, the Southern Pacific Company - Pacific System - filed its application No. 5 for general authority to continue fares for the transportation of passengers or baggage from any point to any point lower than the fares concurrently in effect to intermediate points, appearing in any of the tariffs issued by said Southern Pacific Company - Pacific System - or in any of the tariffs issued by other carriers in which the Southern Pacific Company - Pacific System - is shown as a participating carrier.

The purpose of the application was to secure, as to such passenger fares, a waiver of the provisions of Section 21, Article XII, of the Constitution of the State of California, relating to long and short hauls, until the tariffs covered by the application could be thoroughly checked and any violations of the long and short haul provisions of the Constitution corrected. No specific instances of departure from the long and short haul provisions were set out in the application, and the applicant, after a superficial examination of such tariffs as to which relief was asked, had not at the time of filing its application been able to locate any such violations. A hearing was duly held and a full investigation of the matters involved in the application was had and a sufficient time has been allowed in which to have thoroughly checked the

tariffs covered by the application for any violations of the long and short haul provisions of the Constitution and to have corrected same, and no good reason appearing why the application should be granted or why the carrier should not now fully comply with those provisions of the Constitution and Public Utilities Act as to its passenger fares, I am of the opinion that the application should now be denied.

I submit the following order:

O R D E R .

SOUTHERN PACIFIC COMPANY having applied to this Commission for authority to continue any fares for the transportation of passengers and baggage from any point on its system to any second point on its system in the State of California lower than the fare concurrently in effect to intermediate points, as set out in any tariff issued by it or any tariff issued by any other carrier in which the Southern Pacific Company is shown as a participating carrier; and a hearing having been held, and being fully apprised in the premises,

THE COMMISSION HEREBY FINDS AS A FACT that the Southern Pacific Company has not justified the granting of this application;

And basing its order on the foregoing finding of fact,

IT IS HEREBY ORDERED that this application be and the same is hereby denied.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission.

Dated at San Francisco, California, this 4th day of April, 1914.

John M. Eschleman  
Max Thelen  
Edwin C. Edwards

Commissioners.