

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of
SOUTHERN PACIFIC COMPANY and the FRESNO
TRACTION COMPANY for the approval of
a certain lease and agreement between
Fresno Traction Company and Southern
Pacific Company, covering lease of rail-
road and appurtenances from a point near
Muscatel Station to a point in Section
16, Township 13 South, Range 18 East,
M.D.B. & M., a distance of 8.1 miles.
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ORIGINAL

Application No. 1481.

Decision No. 2154

Guy V. Shoup, for Applicants.

GORDON, Commissioner,

OPINION.

This is an application filed by the Southern Pacific Company and the Fresno Traction Company asking the Commission to approve a certain lease and agreement attached to the application as Exhibit "A". The application states that all of the stock of the Fresno Traction Company, with the exception of director's shares, is owned by the Southern Pacific Company, which Company has advanced to the Traction Company all the money necessary to construct this line of railroad, which extends from near Muscatel, a station on the Southern Pacific, to a point in Section 16, Township 13 South, Range 18 East, M.D.B. & M. It is the intention that eventually this piece of line shall become part of the interurban system of the Fresno Traction Company, but at the present time there is no connection between the rails of the Fresno Traction Company and this piece of track and it is the desire of both parties that the Southern Pacific Company operate this track for the Fresno Traction Company until such time as the connection is built, the line ~~is~~ electrified, and this track becomes part of the system of the Fresno Traction Company. The Southern Pacific Company advanced all the money for the construction of this line and the lease and agreement under which it ^{is} proposed that the Southern Pacific operate the line covers the necessary financial arrangements between the Companies.

The lease can be terminated on ninety days notice by either party. All contracts for the operation of cars over this line assumed by the Fresno Traction Company in its right-of-way agreements will be assumed by the Southern Pacific Company, and as a matter of fact the Southern Pacific has been operating this line since about December 1, 1913, the date on which this piece of track was completed.

No objection was made at the hearing for the granting of this application, and I see no reason why the Commission should not grant ^{it} subject to certain conditions:

I recommend that the application be granted and submit herewith the following form of order:

O R D E R

SOUTHERN PACIFIC COMPANY and FRESNO TRACTION COMPANY having applied to the Commission, under the provisions of Section 51 of the Public Utilities Act, for an order authorizing the execution of a certain lease and agreement affecting the possession and operation of a certain line of railroad of the Fresno Traction Company, between Muscatel and a point in Section 16, Township 13 South, Range 18 East, M.D.B. & M., a copy of which lease and agreement was attached to the application and marked Exhibit "A", and a public hearing having been held, and no one appearing in opposition thereto, and there being no apparent reason why the application should not be granted,

IT IS HEREBY ORDERED, That this application be and the same hereby is granted upon the condition that this Commission, or other competent public authority, shall at all times have the right to revise or alter all terms or provisions of the said agreement.

The foregoing opinion and order 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 23rd day of
February, 1915.

Max Thelen

St. G. Gordon

Frank R. Denton

Commissioners.