

Decision No. _____

ORIGINAL

Decision No. 2491

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of a physical
connection between the
Petaluma and Santa Rosa Rail-
way Company and the North-
western Pacific Railroad Com-
pany at Petaluma, Sebastopol
or Santa Rosa.

Case No. 386.

Jesse W. Lilienthal and Albert Raymond,
for Northwestern Pacific Railroad Company.

Edwin T. McMurray, for Petaluma and Santa Rosa
Railway Company.

William Lehn, representing the Sunlit Fruit
Company,

F. W. Maddocks, in propria persona, and represent-
ing the Green Valley Canning Company.

LOVELAND, Commissioner:

O P I N I O N

This was an inquiry on the Commission's own motion because of the receipt of various complaints from shippers, and requests that a physical connection be established between the Petaluma and Santa Rosa Railway Company and the Northwestern Pacific Railroad Company.

Considerable time was devoted to an attempt to settle the matter informally but as the parties could not agree as to whether the connection should be at Sebastopol or Petaluma it was finally set for hearing, and a public hearing was held on June 16, 1913.

At this hearing there were but two shippers present, although all who had written the Commission, or complained in person to the Commission, were notified of the hearing. One of

the shippers present at the hearing, Mr. William Lehn, testified that he shipped only five carloads a year and that he would not expect the Railroads to go to the expense of making the physical connection for such movement of freight as he had.

Mr. F.W. Maddocks, representing himself and also the Green Valley Canning Company, testified that his Company shipped approximately twenty-five carloads, which tonnage would be increased if the physical connection was made, and that they would have about sixty carloads of canned fruits per year to ship out.

Owing to the small number of shippers who appeared at the hearing the Commission decided to postpone the case and try and get more of the interested parties to appear. It was, therefore, postponed with the understanding that Mr. Maddocks would interest himself in trying to develop some interest among the shippers and that he would report to the Commission so that the case could be again set down for further hearing.

In September, 1913, the Green Valley Canning Company wrote the Commission that the matter would be attended to at once; that they had taken it up with several individuals and firms who were interested and that we would receive letters from them showing their interest. No such communications were received and the matter has remained on the Suspense Docket since that time. On April 24, 1915, in an endeavor to bring this matter to some final conclusion the Commission wrote the carriers interested, and also wrote the Green Valley Canning Company. Receiving no reply we again wrote them on May 27th, and advised that if we did not hear from them by June 15th we should infer that they desired the case dismissed. To this letter the Petaluma and Santa Rosa Railway Company replied expressing their willingness to have the case dismissed, but no reply has been received from the Green Valley

Canning Company.

At the time of the public hearing the Commission was convinced that sufficient reason had not been offered for establishing the physical connection prayed for, and in view of the absolute lack of interest since shown by the shippers, I believe and find as a fact that the case should be dismissed.

I herewith recommend the following form of order:

O R D E R

For the reasons set forth in the opinion preceding this order, the investigation upon the Commission's own initiative in the matter of a physical connection between the Petaluma and Santa Rosa Railway Company and the Northwestern Pacific Railroad Company is hereby dismissed.

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 17th day of June, 1915.

Max Thelen
[Signature]
Edwin A. Edgerton
[Signature]

Commissioners.