

ORIGINAL

Decision No. 2793

Decision No. ✓

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
Oakland, Antioch & Eastern Railway)
for an order exempting said company) Application No. 1826.
from the provisions of Chapter 494)
of the Laws of 1915.)

Jesse E. Steinhart for applicant.

THELEN, Commissioner.

O P I N I O N

This is an application by Oakland, Antioch & Eastern Railway for an order authorizing the railway to require or permit its conductors, brakemen and trainmen to receive, deliver and transmit at any receiving or forwarding instrument of any telegraph or telephone line, any order for the movement of any train. The application is, in effect, for an order declaring Chapter 494 of the Laws of 1915 to be inapplicable to Oakland, Antioch & Eastern Railway.

In the decision this day rendered in Application No. 1825, being a similar application filed by the Southern Pacific Company and other carriers, Chapter 494 is held to be inapplicable to common carriers operated by electric energy. This conclusion is reached in accordance with suggestions made by the various Brotherhoods, on the ground that Chapter 494, in the very nature of things, is not reasonably applicable to common carriers operated by electric energy.

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

O R D E R

Oakland, Antioch & Eastern Railway having filed its petition asking that the Railroad Commission make its order authorizing said railway to require or permit its conductors, brakemen and trainmen to receive, deliver or transmit at any receiving or forwarding instrument of any telephone or telegraph line, any order for the movement of any of its trains, and the Railroad Commission finding that said request is reasonable and should be granted,

IT IS HEREBY ORDERED that said application be and the same is hereby granted, and that Oakland, Antioch & Eastern Railway be and the same is hereby authorized to require or permit any of its conductors, brakemen and trainmen to receive, deliver or transmit at any receiving or forwarding instrument of any telegraph or telephone line, any order for the movement of any train.

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 30th day of September, 1915.

Max Shelen

H. D. Loveland

Wm. Gordon

Edwin D. Edgerton

Fran. R. Durbin

Commissioners.