

DECISION NO.

ORIGINAL

Decision No. 29111

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the)
Application of MT. TAMAL-)
PAIS AND MUIR WOODS RAILWAY)
for an order authorizing it)
to abandon the operation of its)
main line from December 1st to)
March 1st.)

APPLICATION NO. 1898.

William Thomas for Applicant.
A. E. Whittle for Protestants.
E. C. Symonds for Town of Mill Valley

GORDON, Commissioner.

O P I N I O N .

This is an application on behalf of Mt. Tamalpais and Muir Woods Railway for permission to abandon all service on its main line during the months of December, January and February, it being alleged that the operation of the railway is conducted at a serious loss during the aforesaid months; that the road is a scenic railway patronized almost exclusively by visitors and tourists and that during the winter months but few visitors or tourists desire transportation; and that there are no regular patrons of the line who depend upon it for regular transportation. A number of protests were filed objecting to the abandonment of service and a public hearing was held at Mill Valley on November 12, 1915.

At the hearing of this case it was agreed by counsel representing the applicant and the protestants that a compromise could be arranged satisfactory to all interests, and as a result of such agreement there has been filed with this Commission a stipulation outlining the result of the compromise and signed by the attorney for the railroad,

the attorney for the Citizens' Committee, protestant, and the attorney for the Town of Mill Valley, protestant..

The conditions of the agreement embodied in the stipulation are as follows:

1. The Railway Company is to immediately cease to be constructed a 60 horse power closed automobile, equipped for operation on its rails, with every possible convenience and safety device, and with a seating capacity of twenty-three persons. Turntables are to be constructed at Mill Valley and Lee Street to facilitate the operation of this automobile car. This car is to be operated on the local service of the applicant between Mill Valley (Northwestern Pacific Railroad Station) and Lee Street. Whenever the number of passengers exceeds the seating capacity of the automobile car, a trailer equipped with solid roof and side curtains will be attached to the motor and will be operated on the local service between Mill Valley and Lee Street.

2. Operation of the local service between Mill Valley and Lee Street will be in accordance with the following schedule which affords connection with the electric trains of the Northwestern Pacific Railroad Company at Mill Valley.

DAILY (Except Sundays and Holidays.)

	Leave Mill Valley	Leave Lee Street
From Shop	6.55 a.m.	7.04 a.m.
From N.W.P. Station	7.14 " "	7.34 " "
	7.44 " "	8.04 " "
	8.14 " "	8.34 " "
	8.44 " "	9.04 " "
	9.14 " "	9.34 " "
	9.44 " "	10.34 " "
	10.44 " "	11.34 " "
	11.44 " "	
	3.38 p.m.	3.24 p.m.
	4.08 " "	3.54 " "

	Leave Mill Valley	Leave Lee Street
From N.W.P. Station	4.38 p.m.	4.24 p.m.
	5.10 " "	4.54 " "
	5.38 " "	5.24 " "
	6.08 " "	5.54 " "
	6.58 " "	6.24 " "
	7.08 " "	6.54 " "
	7.38 " "	7.24 " "
		7.45 " "(To Shop)

The Railway Company will operate the motor car once daily (including Sundays and holidays) over its main line from Mill Valley to the summit of Mt. Tamalpais, and will also provide such hotel service at Tamalpais Tavern as may be justified by the amount of travel during the months of December, January and February of each year, and will substitute its regular steam train whenever the volume of travel exceeds the capacity of the motor car. Local service in both directions between Mill Valley and Lee Street will be performed by the main line train operating between Mill Valley and the summit of Tamalpais and such service will be given both by the motor car and the regular steam trains.

3. All local service between Mill Valley and Lee Street will be furnished for a uniform fare of five cents, in either direction, children under the age of twelve at one-half the regular fare of five cents.

4. During the period covered by the months of March to November inclusive of each year, regular steam train service will be resumed by the Railway Company between Mill Valley and the summit of Mt. Tamalpais, substituting the use of the motor car on week days between the hours of 11.44 a.m. and 3.24 p.m. whenever the number of passengers desiring transportation from Mill Valley to the summit of Tamalpais does not exceed twenty-three. All through trains are to stop to take on and discharge local passengers, unless local service is being furnished

by the motor car, or by local steam trains.

5. The schedule herein provided for the through trains from Mill Valley to the summit of Tamalpais and return shall become effective as of December 1st, 1915, and shall continue to and including February 29, 1916. The schedule herein provided for the local trains between Mill Valley and Lee Street shall become effective as of December 24, 1915, provided that if the motor car be not completed and ready for service on such date that the Railway Company may continue to operate its local service by steam train until such time as the motor car will be completed and ready for service.

In view of the fact that an agreement has been arrived at between the applicant and the protestants as indicated by the above stipulation and that the provisions of such agreement will furnish a reasonably adequate service during the months of December, January and February of each year, I am of the opinion that the application should be denied and that the Commission should order the service installed as agreed upon between the attorneys for the applicant and the protestants and that same be operated during the months of December, January and February of each year or until the further order of this Commission.

I suggest the following form of order.

O R D E R.

Mt. Tamalpais and Muir Woods Railway having made application to this Commission for permission to abandon all service on its main line between Mill Valley and the summit of Mt. Tamalpais during the months of December, January and February of each year, a public hearing having been held and an agreement having been reached by the applicant and the protestants, and the Commission being fully advised in the premises,

IT IS HEREBY ORDERED that the application for suspension of service during the months of December, January and February of each

year be and the same is hereby denied.

IT IS FURTHER ORDERED that the operation of the main line of the Mt. Tamalpais and Muir Woods Railway between Mill Valley and the summit of Mt. Tamalpais and of the so-called local line between Mill Valley and Lee Street shall be conducted in accordance with the stipulation agreed upon by the applicant and the legal representatives of the protestants as outlined in the foregoing opinion.

The Commission reserves the right to make such further order with respect to the train schedules to be operated by the Mt. Tamalpais and Muir Woods Railway as to it may seem right and proper or in the interest of public convenience and necessity.

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 November, 1915.

Max Thelem

Alvin G. Brown

Edwin O. Edgerton

Franz R. Dohr

Commissioners.