

DECISION NO. _____

ORIGINAL

Decision No. 3053

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

A. KNEIRR, J. ALLAN & G. S. PYLE,
doing business under the name and
style of KNEIRR, ALLAN & PYLE.
D. ROTH, L. BLUM, ISADOR L. BLUM
and L. L. BLUM, doing business
under the name and style of THE
ROTH-BLUM PACKING COMPANY.
B. SALLES and B. CHICORP, doing
business under the name of SALLES
& CHICORP.
C. E. JOHNSON, I SELIG and J.
SELIG doing business under the
name and style of J. C. JOHNSON
H. MORFATT COMPANY, a corporation.

vs.

SOUTHERN PACIFIC COMPANY.

CASE NO. 893.

J. O. Bracken and J. D. Baker, for
Complainants.

Geo. D. Squires, for Defendant.

LOVELAND, Commissioner.

OPINION.

The above complainants are wholesale dealers in live stock and are engaged in the purchase, slaughter and sale of live stock shipped by or for their account from various points within the State of California to the Union Stock Yards at San Francisco. The complainants allege that shipments of live stock intended for delivery at the Union Stock Yards are hauled into San Francisco and then switched back to the Union Stock Yards and that this procedure necessitates an unreasonable delay and a loss to the complainants by reason of unnecessary switching.

Complainants request that the Southern Pacific Company be required to make a spur track connection with their west bound main

line track at a point opposite the Fourteenth Avenue Station and that future deliveries of live stock destined to the complainants at the Union Stock Yards at San Francisco be delivered over such track.

The defendant filed its answer denying the material allegations of the complaint.

A public hearing was held at San Francisco on January 10, 1916, the matter was submitted and is now ready for decision.

The Union Stock Yards in San Francisco are located on the northerly side of "Q" or Quint Street and comprise the southerly portion of the blocks bounded by Fairfax or 6th Avenue south; Phelps or "P" Street south; Innes or 9th Avenue south; and Quint or "Q" Street south. Cars or trains of live stock arriving at San Francisco over the Coast Division of the Southern Pacific Company pass within a block of the Union Stock Yards when en route and are taken to the Mission Bay Yard at 16th Street, then are switched back to the Union Stock Yards via the joint trackage of the Atchison, Topeka and Santa Fe Railway and Southern Pacific Company on Illinois Street. This switching has consumed considerable time, witnesses for the complainant stating that from two to ten hours have been necessary for this movement in the past although that recently very prompt service has been in evidence. Dealers in live stock object to any unnecessary switching as such causes bruising of the shipments which results in shrinkage and consequent financial loss. If the shipments of live stock arriving over the Coast Division of the Southern Pacific Company could be diverted from the main line at a switch to be installed at a point opposite the Fourteenth Avenue Station, the delivery could be accomplished in but a few minutes time and the necessity of switching in the Mission Bay Yards of the Southern Pacific Company and subsequent handling in connection with the transfer over the joint track of the Atchison, Topeka and Santa Fe Railway and Southern Pacific Company on Illinois Street would be obviated.

The switch connecting with the track over which the complainants desire delivery was one installed some years ago by the Con-

struction Department of the Southern Pacific Company at the time of the construction of the Bay Shore Cutoff and especially in connection with the construction of Tunnel No. 3. When the construction work was completed the switch connection was removed and has not since been restored excepting in one instance when by reason of a wreck it was impossible to deliver a shipment of live stock through the San Francisco Yard and the switch was temporarily restored until the main line could be cleared, when it was again removed. This switch is located at a point in the west bound main line 320 feet from the west portal of Tunnel No. 3, which is 2364 feet in length. The switch, if installed, would be a facing point switch which is extremely undesirable and dangerous where high speed operation is conducted and at this point passenger trains frequently run at a speed of 50 miles per hour which is the maximum speed permitted by the Southern Pacific Company. A further objection to the installation of the switch sought by the complainants is the grade of the spur track with which it would connect. From the point of the switch the track would be level for a distance of 210 feet; the next 275 feet is on a 5.8 per cent descending grade; the next 275 feet is on a .9 per cent descending grade; and the next 300 feet is on a 1.5 per cent descending grade. Operation of a high speed main line with trains running against a facing point switch leading into a track having grade conditions such as exist in this instance would be extremely hazardous and present serious risk of accident to passengers, employees, equipment and the property entrusted to the care of the Southern Pacific Company. I am of the opinion that the requirements of the complainants in the handling of their live stock shipments do not justify the hazard of operation that would be evident were this switch connection to be installed.

The Southern Pacific Company have recently installed an expedited switching service to care for the needs of the complainants and others using the corrals at the Union Stock Yards and that this service has afforded some relief is evidenced by the testimony of some

of the complainants' witnesses in effect that a marked improvement in the length of time required to perform the switching from the Mission Bay Yards to the Union Stock Yards had recently been observed. The attorney for the defendant stated that it was the intention of the Southern Pacific Company that preferred and prompt service should be given live stock shipments arriving over the Coast Division and destined to Union Stock Yards but that the large amount of passenger train movement incident to the Panama Pacific International Exposition as well as the entire re-construction of the Coast Division terminals at San Francisco had materially interfered with the free use of operating facilities during the past year and that at present there was no reason why the prompt service required by the complainants could not be given.

In view of the hazardous and dangerous operating conditions that would be in evidence were the switch to be installed as sought by the complainants, and the further fact that an expedited switching service has been arranged for by the Southern Pacific Company between its Mission Bay Yard and the Union Stock Yards, I am of the opinion that the complaint should be dismissed.

I suggest the following form of order:

O R D E R.

The complainants in this proceeding having requested that this Commission make its order compelling the Southern Pacific

Company to install a switch in its westbound main line at a point opposite Fourteenth Avenue Station in the City of San Francisco and hereafter to deliver shipments of live stock over such switch and connecting track to the Union Stock Yards, a public hearing having been held and the Commission being fully advised in the premises,

IT IS HEREBY ORDERED, That, for the reasons appearing in the foregoing opinion, this complaint be and the same 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 22nd day of January, 1916.

H. B. Loveland
W. G. Gordon
Frank R. Durbin

Commissioners.