

Decision No.

ORIGINAL

Decision No. 3188

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

B. H. McNEIL,

Complainant,

vs.

NORTHWESTERN PACIFIC RAILROAD  
COMPANY,

Defendant.

Case No. 922.

Wm. Kehoe for complainant.  
Delos A. Mace for defendant.

THELEN, Commissioner.

O P I N I O N.

Complainant in this case alleges that by reason of the failure of the Northwestern Pacific Railroad Company to stop its trains Nos. 1 and 2 at the station of Rohnerville, Humboldt County, to permit passengers to board and alight, passengers to and from the town of Rohnerville are inconvenienced and are compelled to use the more distant stations of Alton or Fortuna. The defendant filed its answer denying the material allegations of the complaint. A public hearing was held at Rohnerville on March 16, 1916, at which time the case was submitted.

The town of Rohnerville is situated east of the station of Rohnerville. The distance by wagon road from the station to the Rohnerville Postoffice is 1.4 miles. The distance from the Rohnerville Postoffice to the agency station at Fortuna is 3 miles and to the Alton station even further. Patrons of the Northwestern Railroad Company desiring to travel to and from Rohnerville object to the rule of the Northwestern Pacific Railroad Company compelling

the use of the station of Fortuna, as trains Nos. 1 and 2, being the only trains between San Francisco and Eureka in each direction, pass Fortuna at hours when there is no dependable transportation between Fortuna and Rohnerville. The evidence shows that special arrangements are necessary for automobile transportation between these towns by passengers destined to Rohnerville who are compelled to alight from train No. 2 at Fortuna.

The station of Rohnerville was established by the Eel River and Eureka Railway, predecessor in interest of the defendant, Northwestern Pacific Railroad Company, during the year 1884. At one time there was a station building with agent's living quarters, ticket office and waiting room, and a large freight warehouse. The agency station was continuously maintained until the year 1906, since which time a non-agency station has been maintained. The evidence shows that the population of the town of Rohnerville and adjacent territory tributary to the station of Rohnerville is between 500 and 600 people. A flag stop at Rohnerville for trains Nos. 1 and 2 was maintained from May to October, 1915, during which latter month it was discontinued. Although the station of Rohnerville is served by two trains in each direction daily, stopping on flag, these trains are local and do not serve any territory south of the station of South Fork.

Witnesses for the defendant testified that the principal reason for the elimination of Rohnerville as a flag stop for trains Nos. 1 and 2 was that the location of the line between the stations of Alton and Fortuna was such that high speed could be safely maintained and that frequently late trains could be restored to schedule by taking advantage of the opportunity for high speed over this section of the line. The present schedule of train No. 1 between Eureka and San Francisco is 12 hours and 35 minutes or an average speed of 22.5 miles per hour; the schedule of train No. 2 between San Francisco and Eureka is 12 hours and 5 minutes, or an average

speed of 23.5 miles per hour. These schedules are not fast and can be made without difficulty under normal weather conditions. The evidence shows that the mere possibility of a flag at Rohnerville station would not cause a delay in excess of between one and two minutes and that an actual stop at Rohnerville station would cause a delay not to exceed about four minutes. The addition of a flag stop at the station of Rohnerville would not require a lengthening of the schedules between Eureka and San Francisco in either direction.

In view of the accommodation that will be furnished the patrons of the Northwestern Pacific Railroad Company traveling to and from the territory served by Rohnerville station by the establishment of a flag stop for trains Nos. 1 and 2, without any substantial detriment to the service of Northwestern Pacific Railroad Company, I am of the opinion that the request of complainant is reasonable and that such flag stop should be established.

I submit the following form of order:

#### O R D E R.

Complaint having been made that Northwestern Pacific Railroad Company refuses to stop its trains Nos. 1 and 2 on flag at Rohnerville station for the purpose of taking on and discharging passengers, baggage, mail and express, a public hearing having been held and the Commission being fully advised,

The Railroad Commission hereby finds as a fact that it would be just and reasonable to require Northwestern Pacific Railroad Company to stop trains Nos. 1 and 2 on flag at the station of Rohnerville for the purpose of taking on and discharging passengers, baggage, express and United States mail matter.

Basing its order on the foregoing finding of fact and on the other findings of fact which are contained in the opinion

which precedes this order;

IT IS HEREBY ORDERED that within ten days after the service of this order the Northwestern Pacific Railroad Company shall stop its trains Nos. 1 and 2 on flag at the station of Rohnerville for the taking on and discharging ~~of~~ passengers; baggage; express and United States mail matter, and that Northwestern Pacific Railroad Company shall thereafter continue said Rohnerville station as a flag station for its trains Nos. 1 and 2 for said purposes until otherwise ordered by this Commission.

- 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 25<sup>th</sup> day of March, 1916.

Max Thelen  
H. Stokeland  
W. Gordon  
Edwin A. Edgerton  
Frank R. Devlin  
Commissioners.