

F.W.

DECISION NO. \_\_\_\_\_

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

GILROY CHAMBER OF COMMERCE,

Complainant,

vs.

SOUTHERN PACIFIC COMPANY,

Defendant.

CASE NO. 982.

Sanborn & Roehl, for complainant, and  
for intervenors, City of Gilroy,  
City of Hollister, Hollister  
Chamber of Commerce.

Geo. D. Squires, for Southern Pacific  
Company, Defendant.

GORDON, Commissioner.

### O P I N I O N.

This is a complaint on behalf of the Gilroy Chamber of Commerce alleging that the depot of the Southern Pacific Company at the City of Gilroy is old, antiquated, inconvenient, uncomfortable and unsuited for the wants of the residents of Gilroy: that the growth of the City of Gilroy demands a new depot of modern appearance, fitted with ample waiting rooms and rest rooms for the convenience of the public: <sup>and</sup> that the Southern Pacific Company contemplates moving the present existing depot structure to a new location and unless restrained by an order of this Commission will move the present structure and place same at a new location. The Commission is asked to enter its order requiring the defendant, Southern Pacific Company, to erect a new depot building suitable to the wants of the public at the City of Gilroy.

Decision No. 4023

The City of Hollister and Hollister Chamber of Commerce requested permission to intervene alleging that the depot maintained by the Southern Pacific Company at the City of Gilroy was inadequate and unsuitable for the needs of passengers to or from the station of Hollister and other points on the Tres Pinos Branch who were required to change cars or await trains at Gilroy.

The City of Gilroy, a municipal corporation, requested permission to intervene alleging the inadequacy of the depot building maintained by the Southern Pacific Company and stating that the City of Gilroy by reason of its size and importance as the terminal and junction point of the Tres Pinos Branch of the Southern Pacific Company was entitled to a modern and attractive railroad depot equipped with adequate waiting and rest rooms for the convenience of the public.

The defendant, Southern Pacific Company, filed its answers to the complaint and to the petitions of the intervenors denying the material allegations of the complainant and intervenors and outlining its intention to expend a sum approximately \$3000.00 in the alteration and repair of the existing depot, same contemplating the removal of the structure to a new location.

A public hearing was held at Gilroy on September 29, 1916, the matter was submitted and is now ready for decision.

Witnesses for complainant testified that the present population of the City of Gilroy is about 3000 and that about 3000 people reside outside the corporate limits of the city and were served by the Gilroy station of Southern Pacific Company. No material increase in the population of the City of Gilroy has been made in the past few years and the principal increase in population has been in the territory tributary to the city and outside the city limits. A considerable agitation for civic improvements has been made and an expenditure of about \$113,000.00 has been made

during the past three years for street paving, improvement of water system, fire protection, etc., in the City of Gilroy and the complainants desire a more modern depot building in connection with the general civic improvement.

The station of Gilroy serves the passenger business only, all freight being handled at a separate building. It will therefore be necessary to consider this matter solely as a passenger proposition, no complaint having been made as to the inadequacy of the facilities provided for the conduct of freight business.

Records furnished by the Southern Pacific Company show the ticket sales from Gilroy station to be as follows :

Fiscal year ending June 30, 1914	\$46,209.93
" " " June 30, 1915	41,898.32
" " " June 30, 1916	38,248.64

The above statistics indicate a substantial decrease in the passenger business derived by the Southern Pacific Company from the City of Gilroy, ~~xxx~~ the privately owned automobile and automobile bus have been responsible to a considerable extent for the decrease shown. Several lines of automobiles, operated for hire, serve the territory between Gilroy and San Jose and an exhibit was introduced by defendant showing 80 passengers daily handled between Gilroy and San Jose; 10 passengers daily handled between Gilroy and Hollister; and 10 passengers daily handled between Gilroy and points served by the Southern Pacific Company on its Tres Pinos Branch, other than Hollister.

The greatest decrease in passenger revenue as reflected by the record of ticket sales at the station of Gilroy occurred in the year when the heaviest travel incident to the Panama-Pacific International Exposition at San Francisco was present for a six months period.

The passenger business of the Southern Pacific Company as reflected by ticket sales at the station of Hollister also shows a decrease, the statistics being as follows:

Fiscal year ending June 30, 1914	\$42,441.46
" " " June 30, 1915	43,768.56
" " " June 30, 1916	35,786.84

The patrons of the Southern Pacific Company to and from the station of Hollister and other points on the Tres Pinos Branch use the station of Gilroy as a transfer point from and to main line trains.

The present station at Gilroy was erected in 1869 and while some rearrangement and alterations have been made, the station is old and cannot be considered as adequate for the volume of business furnished by the patrons of the defendant company. The building at present furnishes the following space in its various rooms for the accommodation of the traveling public:

Main Waiting Room	19' x 25' 6"	484.5 sq. ft.
Women's Room	9' 6" x 10' 6"	99.7 " "
Men's Toilet	9' 6" x 8'	76.00 " "
Ticket Office		546.0 " "
Record Room		45.0 " "
Baggage Room		266.0 " "
Total		1517.2 " "

The Southern Pacific Company had completed plans for the rehabilitation and enlargement of the station, including the removal to a new location approximately 500 feet east of the present site. The rearrangement and additions contemplated would have given the following space:

Open Waiting Room	20 x 24'	480.0 sq. ft.
Women's Room	14 x 19'	266.0 " "
General Waiting Room	19 x 34'	646.0 " "
Men's Toilet	11' 6" x 6' 9"	77.5 " "

Ticket Office	15 x 29'	435.0 sq. ft.
Record Room	6' 6" x 7'	45.0 " "
Baggage Room	19 x 26'	494.0 " "
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Total		2443.5 " "

The proposed changes would have reduced the space allotted to the ticket office but would have furnished an additional open waiting room, increased the size of the general waiting room, women's room and baggage room. The access to the men's toilet would be from the outside of the building instead of from the general waiting room as formerly. The Southern Pacific Company estimated the expense of the proposed rehabilitation and improvements, including the moving of the depot to the new location, at \$3920.00. The principal reason for the proposed removal of the station to a location approximately 500 feet south of its present site is to avoid the blocking of an important highway known as "Old Gilroy Street" by long passenger trains standing at the station, and it was shown that during the period August 19 to August 27, 1916, both dates inclusive, that an average of 448 vehicles per day used this crossing and the moving of the depot building to the proposed new location would benefit the public using this highway.

The average number of patrons using the station facilities at Gilroy in connection with passenger trains for a period reflected by a nine days check (August 19 to August 27, 1916, both dates inclusive) was 258 per day; in addition an average of 70 persons per day used the station for the purpose of meeting or accompanying friends arriving or departing on Southern Pacific trains, a total average of 328 persons daily using the facilities of the defendant company during this period.

The conditions presented in this proceeding are unusual in that a steady decrease in the passenger revenue of the defendant

company at the station of Gilroy is apparent. The population of the City of Gilroy has increased by an average of but 100 persons per year for the past five years and while the section tributary to the City of Gilroy and the passenger station of the defendant at that point is increasing, a corresponding increase in the passenger revenue is not present.

The Southern Pacific Company, defendant in this case, had prepared plans and were about to make extensive rehabilitation of their present station building at the time complaint in this case was filed. It was also developed by the testimony of Mr. Thos. Ahern, Division Superintendent of the Southern Pacific Company, that the work of double-tracking the line from San Jose to Watsonville Junction had been contemplated and was still under consideration at this time, and that such plans might entirely change the point of location of the Gilroy passenger station. It would appear that the rehabilitation proposed utilizing the present structure was the solution deemed satisfactory by the Southern Pacific Company in consideration of the proposed double tracking and the consequent possibility of new station facilities being established in connection with that work, also considering the decreased passenger revenue as derived from Gilroy Station and the stations on the Tres Pinos Branch. I am not willing to recommend that the Southern Pacific Company's scheme for rehabilitation of the present station building should be endorsed and be made effective by an order of this Commission. After careful consideration of the testimony and exhibits as presented in this case, I am of the opinion and find as a fact that the present passenger station facilities as provided by the Southern Pacific Company at the station of Gilroy are inadequate and not in keeping with the importance of

the patronage derived by the defendant company from this locality. While it is true that a decrease in passenger earnings has been reflected by the statistics presented covering the last three years there is evidence indicating a substantial and continued increase in the population immediately surrounding the City of Gilroy and the passenger traffic of the defendant company will be increased by such growing population. The present station facilities have served the community for some forty-seven years and no substantial improvements have been made in the station building since its erection. Gilroy is a junction point serving the Tres Pinos Branch on which are located the stations of Hollister and Tres Pinos and the development of these cities and their adjacent population will increase the passenger traffic requiring accommodation at the Station of Gilroy.

I shall recommend that plans be submitted to this Commission covering the erection of a passenger depot of lath and plaster or of concrete, hollow tile or of other suitable material, satisfactory to this Commission, and designed in the so-called Mission style. I am of the opinion that it is reasonable and just to order the defendant to expend for such structure a sum of not less than ten thousand dollars (\$10,000.00). Such passenger depot will adequately serve the present and reasonable future needs of the City of Gilroy and also those of the patrons of the defendant company on the Tres Pinos Branch using such depot as a point of transfer.

I submit herewith the following form of order:

O R D E R.

A formal hearing having been held at Gilroy in the

above entitled proceeding on September 29, 1916, the matter having been duly submitted and the Commission being fully advised in the premises,

IT IS HEREBY ORDERED, that the defendant shall within sixty (60) days from the service on it of this order, present to this Commission for its approval, plans for a passenger depot to be built at Gilroy and shall within six (6) months after the approval of such plans by this Commission erect a passenger depot of lath and plaster, or of concrete hollow tile, or of some similar class of construction and of such style, type and design as shall be approved by this Commission.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 16th day of January, 1917.

Max Thelen  
H. B. Loring  
Al. Gordon

Fran R. Debn

Commissioners.