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Decision No. _____.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF
THE STATE OF CALIFORNIA.

Decision No. 4055

West Oakland Taxpayers and
Business Men's Association,

Complainant,

v.

Southern Pacific Company,

Defendant.

Case No. 952.

A. F. Hufschmidt for Complainant.
George D. Squires for Defendant.

BY THE COMMISSION.

O P I N I O N

This is a complaint requesting that the Southern Pacific Company be required to establish a waiting room at Seventh and Pine Streets in the City of Oakland, County of Alameda, on the "Seventh Street Local" line of the Southern Pacific Oakland-

Alameda-Berkeley electric system. The complaint alleges that by reason of there being no waiting room facilities passengers awaiting trains are exposed to the elements unless they take refuge in stores on the northerly side of Seventh Street; also that waiting room facilities were formerly provided at this point but have been discontinued; also that the traffic at this station is greater than that at any other station on the "Seventh Street Local" line excepting Broadway.

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

A public hearing was held at Oakland on December 22, 1916, before Examiner Encell, the matter was submitted and is now ready for decision.

The complainant in this proceeding is an association comprised of two hundred twenty-seven (227) members, organized for the promotion of the district known as West Oakland. The absence of waiting room facilities was established and the evidence showed that formerly when tickets were required before passengers were permitted to enter the cars some waiting room accommodations were provided by the defendant, Southern Pacific Company. There was no showing as to the volume of traffic requiring waiting room facilities nor as to the necessity for those facilities if the frequency of service and regularity of schedule be considered.

The Southern Pacific Company operates a

total of one hundred and-eight (108) trains on the Seventh Street local line each week day excepting Saturday, one hundred fourteen (114) trains on Saturdays only, and one hundred twelve (112) trains on Sundays only. These trains are operated closely to schedule and the time of departure can be relied upon by the travelling public.

The service accorded by the Southern Pacific Company on its Seventh Street local line of the electric system is a suburban service, operated at frequent and regular intervals. The delays incidental to regular railroad service due to weather conditions, heavy travel, necessity for connections at junction points, et cetera, do not obtain and passengers can depend on the arrival and departure of trains at the time scheduled. The patrons of the Southern Pacific Company at the Pine Street Station board trains for San Francisco or for East Oakland, Melrose, Alameda, Elmhurst and intermediate points. In fact, the service is more nearly comparable to street car service than to regular railroad service. Frequent trains are scheduled for all these points and the regularity of service renders unnecessary any considerable waiting by passengers.

In view of the above facts we do not find that the request for waiting room accommodations is justified by the evidence in this proceeding.

O R D E R

WEST OAKLAND TAXPAYERS AND BUSINESS MEN'S ASSOCIATION having filed a complaint requesting that the Southern Pacific Company be required to maintain waiting room accommodations at its station of Pine Street on the "Seventh Street Local" line of the Oakland-Alameda-Berkeley electric system,

And a public hearing having been held and the Commission being fully advised,

IT IS HEREBY ORDERED that the complaint be, and the same hereby is, dismissed.

Dated at San Francisco, California, this 25th day of January, 1917.

Max Thelen

H. S. Rowland

W. L. Gordon

James R. Devlin

Commissioners.