

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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ORIGINAL

Decision No. 5218  
(5/18)

In the matter of the application of F. W. Gomph, in the name and on behalf of certain carriers, for authority to establish switching charge.

Application No. 3264.

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- C. W. Durbrow and Elmer Westlake, for Southern Pacific Company.
- E. W. Camp and G. H. Baker, for Atchison, Topeka and Santa Fe Railway Company.
- Allan P. Matthew, for Western Pacific Railroad Company.
- A. S. Halsted, for Los Angeles and Salt Lake Railroad Company.
- T. J. Day, for Pacific Electric Railway Company.
- Seth Mann, for San Francisco Chamber of Commerce.
- J. C. Sommers, for Stockton Chamber of Commerce.
- F. P. Gregson, for Associated Jobbers of Los Angeles, Los Angeles Produce Exchange and Los Angeles Grain Exchange.

LOVELAND, Commissioner.

O P I N I O N

This is an application filed by F.W.Gomph, Agent, in the name and on behalf of the following carriers:

- Atchison, Topeka and Santa Fe Railway Company,
- Los Angeles and Salt Lake Railroad Company,
- North Western Pacific Railroad Company,
- Pacific Electric Railway Company,
- Southern Pacific Company,
- Sunset Railway Company,
- Tonopah and Tidewater Railroad Company,
- Western Pacific Railroad Company,

220

asking authority under Section 63 of the Public Utilities Act to establish the following switching charge:

CHARGE FOR SWITCHING AFTER INITIAL PLACING  
OF CAR FOR UNLOADING.

Carload rates in this company's tariffs include delivery on this company's team tracks at destination, and when notice of disposition is furnished prior to arrival, include delivery on industry tracks, wharves served by this company's rails, or interchange track with connecting line, within switching limits.

The above constitutes initial placement.

This rule, if established, will automatically place in operation switching charge now published in carrier's tariffs of \$2.50 per car applying to movements subsequent to initial placing.

It is stated in application that no charge is made for this class of switching at the present time as cars are held on "hold" or team tracks pending disposition.

The rule proposed is the same as now applies to interstate traffic, which has been in effect since September 4, 1916. Applicant states proposed step is for the purpose of eliminating unnecessary detention of cars by securing advance information from consignee as to placing of cars for unloading, thereby avoiding congestion and extra switching.

Considerable testimony was introduced by applicant to show the extra labor and expense incurred in handling cars on "hold" tracks. An explanation of the general method of handling cars at terminals was made by one of the Inspectors of Transportation of the Southern Pacific Company who stated that upon arrival at the classification or assembly yard the trains are broken up and switched into drags, a drag being the unit handled by switch engine.

If predisposition has been given, the cars are switched directly to industry or other delivery track. If disposition has not been obtained beforehand, the cars are switched to the "hold" tracks. When final orders are received from consignee a switch engine pulls these cars from the "hold" track to final destination in the yard.

It is alleged by witness that this involves considerable extra switching, and detention of cars over and above that required to make direct delivery from the distribution yard.

By way of illustration it was pointed out that very often it is necessary in order to remove a car from "hold" track to draw out a long string of cars to secure the one desired and that frequently movements from the "hold" tracks to industries, on account of their location, involve crossing the main line tracks with consequent delay due to necessity of avoiding main line trains; also that special service is rendered in approximately 50% of the "hold" track movements.

A knowledge of the extent of switching subsequent to initial placing may be gained from the following exhibit offered in evidence by applicant which shows the operations of this character at the most important terminals of the Southern Pacific Company.

SOUTHERN PACIFIC COMPANY  
(Pacific System)

Supplemental switching of Intrastate cars

August 1917.

	: Number Intra- : state cars : received	: Number requiring : supplemental : switching	: Percent : requiring : supplemental : switching	: Average : detention : on hold : track
San Francisco	5280	494	9.37	44 Hours
Los Angeles	3847	465	12.08	27 "
Sacramento	1084	80	7.38	31 "
Fresno	1972	87	4.4	18 "
San Jose	940	32	3.41	13 "
Stockton	1171	257	21.9	39 "

The percentage of cars switched from hold track at Stockton

is attributed to the extensive brokerage business transacted at that point. Cars in many instances are ordered to Stockton without definite purchaser of contents, even at time of arrival, necessitating placement on "hold" track awaiting subsequent disposition.

It is the opinion of carriers that a rule such as applies to interstate traffic will have the effect of greatly lessening hold track movements, and it was shown through the testimony of their witnesses that large increases in interstate predisposition orders were made immediately after the interstate rule became effective. As a further index of the results accomplished by publication of the rule for interstate traffic, the subjoined exhibit was offered on behalf of the Southern Pacific Company:

Interstate Cars Held Various Yards Both Prior and Subsequent to Establishment of I.C.C. ruling providing for \$2.50 charge where advance disposition is not furnished.

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Location	August, 1916.			September, 1916.		
	Cars Received	Cars Held	Per-Cent	Cars Received	Cars Held	Per-Cent
San Francisco	1730	294	17	1810	343	19
Stockton	150	86	57	206	6	3
San Jose	170	47	28	185	26	14
Sacramento	196	108	55	380	126	33
Los Angeles	1492	639	43	1580	272	17
Fresno	150	27	18	169	24	14

From this table it will be seen that, with the exception of San Francisco, a marked improvement was made in the number of interstate cars placed on hold tracks with publication of the interstate rule effective September 4, 1916. This is noticeably present in the case of Stockton where the number of cars held decreased from 57 to

3%; likewise at Sacramento and Los Angeles where considerable reduction was effected. The unfavorable showing at San Francisco is attributed to the export car situation, applicant alleging that were it not for this feature results similar to those shown at the other terminals may reasonably have been expected at San Francisco.

The only objection to the granting of this petition came from the Los Angeles Produce Exchange and the Los Angeles Grain Exchange, who through their attorney protested the application of proposed rule to potatoes and grain. Although the San Francisco and Stockton Chambers of Commerce were represented by counsel no protest was made nor testimony introduced in controversion of that offered by applicant.

While objection was made to bringing potatoes and grain within the provisions of proposed rule the testimony of protestants was addressed exclusively to grain, witness testifying that before grain can be received at the mills, examination must be made by a government inspector to see that the grain meets the necessary requirements as to quality.

In addition to oral testimony, exhibits were filed by protestants showing inspection, reconsignment and diversion privileges applicable at Chicago and other parts of the United States but upon cross examination witness admitted he was unfamiliar with any of the local conditions prevailing at such points and no attempt was made to show a similarity of conditions.

Evidence of this nature, while of interest, can be given no weight in determining the reasonableness of proposed rule where the transportation and commercial conditions may be entirely dissimilar.

Protestants testified that as a war measure mills having a daily output of more than 75 barrels of flour are licensed by the government and that such mills must observe the federal rules which prescribe fixed prices for rye and wheat, according to grade and

quality and that as a consequence governmental inspection is required before the price to be paid can be determined.

While the present federal control applies to wheat and rye only it was the opinion of witness, based upon circulars received from the Food Administration, that other grains would be shortly brought within its jurisdiction.

Testimony of protestants developed that application of proposed rule to grain would be unavailing as a step toward conservation of equipment by prompt switching of cars to mill owing to necessity of first securing inspection to ascertain the grade of grain before its storage location can be determined.

From the evidence adduced it is apparent that much delay to equipment ensues from this practice of placing cars on "hold" tracks. The business of a carrier is transportation and in order that its function in this respect may not be impaired, it is important that impediments to prompt release of cars should be removed.

This is not a merely local problem but one of national importance. Our nation has entered the great European conflict and its success is largely dependent upon the prompt and efficient service rendered by the transportation lines of the country.

As a consequence of the enormous demand made on the carriers their equipment and terminal facilities have been taxed to the utmost. It is therefore of vital importance that existing equipment be made to render a maximum efficiency and any rules tending to accomplish such purpose will be regarded with favor by this Commission.

The proposed change is penal in nature, the primary object being to prevent congestion and delay, thereby relieving carriers' facilities for transportation purposes. Subordinately it is to compensate the transportation companies for additional service performed.

The foregoing exhibits filed by applicant clearly demonstrate the efficacy of a switching charge in reducing supplemental car move-

ments and that a remedial measure such as already adopted for interstate traffic will have the general effect desired on intrastate business.

I am convinced, however, that some exception should be made in the case of commodities held for governmental inspection. While carriers stand ready to switch such freight direct to industries, this is not possible under the present war conditions, owing to federal requirements. In my opinion the transportation service is not completed until after the commodity has been passed upon by the federal inspector.

A careful consideration of the evidence submitted leads me to the conclusion that a general rule such as proposed, with the modification that it will not apply to commodities placed on "hold" or disposition tracks awaiting governmental inspection, is reasonable and that its adoption will be to the ultimate advantage of the shipping public.

The following form of order is submitted:

O R D E R

F. W. Gomph , Agent, in the name and on behalf of the

Atchison, Topeka and Santa Fe Railway Company,  
Los Angeles and Salt Lake Railroad Company ,  
North Western Pacific Railroad Company,  
Pacific Electric Railway Company,  
Southern Pacific Company,  
Sunset Railway Company,  
Tonopah and Tidewater Railroad Company,  
Western Pacific Railroad Company,

having applied under Section 63 of the Public Utilities Act for authority to publish a charge for switching after initial placing of car for unloading, a public hearing having been held, and the Railroad Commission being fully apprised in the premises,

The Railroad Commission hereby finds as a fact that the proposed charge, as set forth in application and modified in preceding opinion, is just and reasonable.

Basing its order on the foregoing finding of fact and on the further findings of fact contained in the opinion which precedes this order,

IT IS HEREBY ORDERED, that F. W. Gomp, as Agent of the aforementioned carriers, be and is hereby authorized to publish in tariff effective ten days after filing with the Commission the following charge:

CHARGE FOR SWITCHING AFTER INITIAL PLACING  
OF CAR FOR UNLOADING.

Carload rates in this company's tariffs include delivery on this company's team tracks at destination, and when notice of disposition is furnished prior to arrival, include delivery on industry tracks, wharves served by this company's rails, or interchange track with connecting line, within switching limits.

The above constitutes initial placement except that cars held awaiting governmental inspection will not be considered as initially placed.

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 5th day of April  
1918.

Max Thelen  
H. E. Leonard  
W. G. Gordon  
Frank DeLoe

Commissioners.