

ORIGINAL

Decision No. 5648.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of MODESTO AND EMPIRE TRACTION)
COMPANY, a corporation, for per-) Application No. 3933.
mission to discontinue its)
passenger service.)

L. L. Dennett for Applicant.

GORDON, Commissioner

O P I N I O N

Modesto and Empire Traction Company, a corporation, has applied to the Railroad Commission for an order authorizing the discontinuance of passenger service on its line, it being alleged that the passenger service is being conducted at a material loss and that the public convenience and necessity do not require the continuance of such service.

A public hearing was held at Modesto on July 27, 1918, the matter was duly submitted and is now ready for decision.

The Modesto and Empire Traction Company operates a standard guage railroad between the City of Modesto and Empire, all in Stanislaus County, a distance of 5.2 miles. The line has served as a connection between the Atchison, Topeka and Santa Fe Railway at the station of Empire and the City of Modesto, and a passenger service of six round trips per day has been operated connecting with main line trains of The Atchison, Topeka and Santa Fe Railway Company. The reduction in passenger train service on the line of the Santa Fe and the discontinuance of Santa Fe trains Nos. 31 and 32 have reduced the passenger

traffic heretofore cared for and with the competition by automobile stages on the highway paralleling the line of the applicant has resulted in the passenger business being operated at a material loss.

The records of the applicant show that the gross revenue received during the calendar year 1917 from passenger operation amounted to \$3,595.89, the operating expense amounted to \$6,001.61 or a net loss of \$2,405.72. During the six months ending June 30, 1918, the gross receipts from passenger operation amounted to \$1,431.12, the operating expense amounted to \$3,237.23, resulting in a net loss of \$1,806.11. It is apparent that the operation of this line as a passenger carrier cannot be conducted at a profit, and there appears no reason why the petition of applicant should not be granted. No appearance in protest against the granting of the application was made at the hearing on this proceeding, although public notice had been given by advertising in newspapers and by notices posted at the stations and in the passenger cars of applicant.

I am of the opinion and find as a fact that the operation of passenger service by the applicant herein is not justified or required by the public.

Herewith the following suggested order.

O R D E R

A public hearing having been held on the above entitled proceeding, the matter having been duly submitted and the Commission being fully advised and basing its order on the finding of fact as contained in the foregoing opinion,

IT IS HEREBY ORDERED that the Modesto and Empire Traction Company be and it hereby is authorized to discontinue its passenger service after five days notice will have been given the traveling public by posting notices of the effective date of such discontinuance in all passenger cars and stations on its line.

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 3d day of August, 1918.

Edwin O. Lynde
H. D. Loveland
Alex Gordon
Frank R. Colby

Commissioners.