

BEFORE THE RAILROAD COMMISSION  
OF THE STATE OF CALIFORNIA.

ORIGINAL  
Decision No. 606

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In the matter of the application of :  
SOUTHERN PACIFIC COMPANY for per- :  
mission to change the location of its :  
passenger depot in the City of Porter- :  
ville, Tulare County, California; and : Application No. 474  
also for permission to construct a side- :  
track and a spur track at grade across :  
certain streets in said city. :  
.....

Appearances:

Geo. D. Squires, for Southern Pacific Company,  
Murry & Knupp, for parties favoring the application,  
Alfred Daggett, et al., for parties protesting the ap-  
plication.

GORDON, Commissioner:

O P I N I O N .

Southern Pacific Company, a corporation, on March 31, 1913, in pursuance of the provisions of General Order No. 30, filed with the Commission an application for permission to remove its present passenger depot facilities in the City of Porterville, Tulare County, California, from their present location between Vine and Olive Streets to a new location between Lafayette and Cleveland Streets; also for permission to construct a sidetrack at grade across Cherry, Lafayette, Cleveland and Thurman Streets, and a spur track at grade across Lafayette and Cherry Streets of said city. The application stated that said removal was desired on the part of the applicant to better accommodate the traveling public and further advised that more commodious facilities would be provided at the new site should the application be granted than were now provided at the present depot.

On February 26, 1913, and subsequently, petitions had been filed with the Commission by a number of citizens living apparently in the vicinity of the present depot, protesting against the proposed removal. In order that all interested parties might have

the opportunity of presenting their approval or objections to the application and that the Commission might ascertain all of the facts in the case and determine if such proposed removal would in fact be for the convenience and accommodation of the traveling public and the majority of the citizens of Porterville, a public hearing was held in the Town of Porterville, on April 16, 1913, after due notice by publication and otherwise had been given.

Testimony was introduced at the hearing by parties desiring such removal of the passenger depot facilities and also by parties opposed to such removal. The City of Porterville is divided by a drainage channel known as Porter Slough. Those citizens living north of Porter Slough generally approved the removal of the depot to the proposed new location, and those citizens living south of the slough opposed such removal. It developed, however, and the preponderance of testimony was in effect, that the greater part of the population and business interests of the City of Porterville were located north of Porter Slough, and, therefore, the passenger depot in the proposed new location will more conveniently and adequately serve the city. Applicant proposes to retain the freight depot at its present location.

It was shown that the business center of the City of Porterville is on Main Street, between Mill Street and Putnam Street, about two (2) blocks east of the new depot site and about five (5) blocks from the present depot. In order to reach the present depot from the business center, however, it is necessary to cross Porter Slough, which is quite objectionable. The assessed value of property within the city north of Porter Slough is about four (4) times the assessed value of city property south of Porter Slough. Three-quarters ( $3/4$ ) of the total water users of the city live north of Porter Slough and one-quarter ( $1/4$ ) live south of Porter Slough.

The evidence submitted shows conclusively that the passenger depot located between Lafayette and Cleveland Streets, as proposed by applicant, will accommodate and serve more conveniently and adequately the people of Porterville and at the same time be

nearer both the business center and the center of population than the present passenger depot.

No objection was made to the granting of the grade crossings over streets for the sidetrack and spur track prayed for.

In my opinion, therefore, the application should be granted, and I submit herewith the following form of Order:

O R D E R .

Southern Pacific Company, a corporation, having on March 31, 1913, filed with the Commission an application for permission to remove its present passenger depot facilities between Vine and Olive Streets, City of Porterville, Tulare County, California, to a new location between Lafayette and Cleveland Streets, and to construct a sidetrack and spur track across certain streets in said city as hereinafter indicated and as shown by the map attached to the application, and it appearing that a public hearing, after due notice, has been held in the City of Porterville, on April 16, 1913, at which applicant and all parties favoring the removal of said depot facilities and also those protesting against such removal were heard, and testimony and evidence having been taken concerning the necessity for such removal and the greater accommodation thereby of the citizens of Porterville and the traveling public; and it further appearing to the Commission that applicant by the removal of its passenger depot facilities in said City of Porterville to the new site proposed will better and more conveniently serve and accommodate the citizens and business interests of the City of Porterville and the traveling public (going to and from said city,)

IT IS HEREBY ORDERED That the application of Southern Pacific Company shall be and the same is hereby granted, and it is hereby authorized to move its passenger depot facilities from their present location between Vine and Olive Streets to the site selected on the west side of "D" Street and between Lafayette and Cleveland Streets of said city, and,

IT IS FURTHER ORDERED That permission be hereby granted to applicant to construct a sidetrack at grade across Cherry Street,

Lafayette Street, Cleveland Street and Thurman Street, and a spur track at grade across Lafayette Street and Cherry Street, as prayed for in the application and as shown by the map attached thereto, subject to the following conditions, and not otherwise, to-wit:

1. The cost of constructing said crossings, together with the expense of their maintenance, hereafter, in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.

2. Said crossings shall be constructed of a width (paralleled with the track) of not less than forty (40) feet with grades of approach not exceeding six (6) per cent and shall be ballasted with stone or gravel ballast to a depth of not less than six (6) inches for a distance of not less than twenty (20) feet on each side of the tracks.

3. The Commission reserves the right to hereafter make such further orders relating to the construction, maintenance, operation and protection of said crossings as to it may seem right and proper and when, in its opinion, public convenience and necessity demand such action.

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 April, 1913.

John W. Eichlerman  
W. H. ...  
...  
Edwin O. Edgerton  
Commissioners.