

Decision No. 8500.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

CITY OF ALAMEDA,)
Complainant,)
vs.)
SOUTHERN PACIFIC COMPANY,) CASE NUMBER 1440.
Defendant.)

W. J. Locke for Complainant.
Henley C. Booth for Defendant.

BY THE COMMISSION:

O P I N I O N

In this proceeding the city of Alameda, a municipal corporation, alleges that request has been made for the erection and maintenance by Southern Pacific Company of a shelter shed at the flag stop of said company located on Fernside Boulevard at High Street in the city of Alameda; that defendant has refused to comply with such request and complainant therefore requests an order requiring the erection and maintenance of a shelter station.

Defendant filed its answer alleging in effect that no station facilities were required as requested by complainant.

A public hearing on this proceeding was conducted by Examiner Handford at Alameda, the matter was duly submitted and is now ready for decision.

Witnesses for complainant testified as to the location of the flag stop known as North High Street and that the request for the establishment of a shelter station originated by reason of complaint having been made to the city council of the city of Alameda. The proposed shelter station would serve both residential and industrial districts, an industrial plant of the Pacific Pipe and Tank Company, American Can Company and other industries being located in the immediate vicinity and some forty to fifty employees of such industries used the

flag stop. Witnesses for complainant observed people waiting to board Southern Pacific trains and it is alleged that in rainy weather during the winter months a need exists for the establishment of a shelter station at this point.

A check or traffic count covering conditions at this station was made on September 2, 1920, under the direction of the city engineer of the city of Alameda and covering traffic between 6:15 A. M., and 7:00 P. M., such check resulting in the following figures:

Westbound boarding San Francisco trains . . .	62
" boarding Oakland trains	10
" leaving San Francisco trains . . .	9
" leaving Oakland	16
Eastbound boarding San Francisco trains . . .	69
" boarding Oakland trains	29
" leaving San Francisco trains . . .	100
" leaving Oakland trains	21

The greatest number of passengers boarding trains at any one time during the period of the check was at 5:25 P. M., boarding Oakland train eastbound next greatest number was ^{passengers} twenty-one/boarding San Francisco train eastbound at 5:29 P.M., The next greatest number was at 5:32 boarding San Francisco train westbound. A larger number of passengers were discharged by San Francisco trains but the use of shelter station facilities are not required by passengers leaving suburban trains.

Defendant, Southern Pacific Company, through its witnesses, objects to the establishment of a shelter station at this point alleging that the flag stop is served by one hundred and forty one trains daily to and from San Francisco

and also by one hundred and sixty-five street car trips to and from Oakland and that scheduled arriving and departing time of trains is regular and that service is given at frequent intervals, both trains and street cars being practically on time unless their operation is occasionally interfered with by street congestion.

A check of passengers using the facilities of the Southern Pacific Company and covering a period March 24, to March 27, 1920, inclusive, filed as an exhibit in this proceeding shows the following data:

Eastbound		Westbound	
<u>On</u>	<u>Off</u>	<u>On</u>	<u>Off</u>
Suburban trains	336	527	84
Street cars	23	41	68
Total - -	<u>359</u>	<u>568</u>	<u>152</u>
Daily Averages	89.75	142	38
		88.75	

Defendant objects to the establishment of a shelter station at the desired location for the reason that it has no property adjacent to the flag stop and estimates that an expenditure of \$2,000.00 would be required for the purchase of sufficient land upon which to erect such station to which must be added an amount of \$70.00 for grading, \$410.00 for a building and \$25.00 for the installation of lighting facilities, - a total of \$2,505.00. Further objection is made regarding the difficulty experienced by the Southern Pacific Company in maintaining shelter stations in a sanitary and proper condition such stations, according to the experience of witnesses, being frequently misused by the public, defaced by writing on the walls and seats and requiring considerable attention to keep same in proper condition for the use of the public by frequent painting and repairs.

After careful consideration of all the evidence in this proceeding, it appears that the establishment of a shelter station at the point requested by complainant is not justified; the service accorded by defendant, Southern Pacific Company, being a combination of suburban service to and from San Francisco and street car service to and from Oakland. Both services are operated at frequent and regular intervals and passengers can depend upon the arrival and departure of trains at the times scheduled and the regularity of service maintained by both the street car service and the electric interurban service of the Southern Pacific Company renders unnecessary any considerable waiting by the patrons of such company and, in view of such fact, we do not find that the request for the establishment of a shelter station at the flag stop known as North High Street on the Alameda suburban lines of the Southern Pacific Company is justified by the evidence in this proceeding.

O R D E R

City of Alameda, a municipal corporation, having filed complaint requesting that the Southern Pacific Company be required to establish and maintain a shelter station at its flag stop, known as North High Street in the city of Alameda; a public hearing having been held; the matter having been duly submitted and the Commission being fully advised and basing its order on the finding of fact as set forth in the preceding opinion,

IT IS HEREBY ORDERED that this complaint be

and the same hereby is dismissed.

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

Dated at San Francisco, California, this 3^d day
of ~~December~~, ^{January} 1921, 1921.

H. J. Loveland
Frank P. Blair
H. B. Lundie

Commissioners.