

Decision No. 26183.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
SOUTHERN PACIFIC COMPANY for authority
to abandon and remove two team tracks
in the City of Pomona, California.

Application No. 18603.

ORIGINAL

C. W. Cornell, for Southern Pacific
Company, Applicant.

Chas. R. Stead, for City of Pomona.

BY THE COMMISSION:

O P I N I O N

In this proceeding Southern Pacific Company seeks authority to abandon and remove two team tracks in the City of Pomona.

A public hearing was conducted in this matter before Examiner Hunter in Pomona on June 8th, and at the hearing the city requested that the matter be held open for a period of fifteen days to allow the city to give further consideration to the matter of granting the company a new franchise to permit of rail operation over one or more of the streets crossed by the tracks sought to be abandoned.

The two team tracks involved extend for a total distance of approximately one-half mile along the northerly or Commercial Street side of the tier of blocks lying between First Street and Commercial Street, crossing four north and south streets. The most easterly street crossed is Garey Avenue, which is also the most heavily traveled of the four involved; the other streets crossed are named in their order as follows: Main Street, Gordon Street and Park Avenue.

These tracks were constructed under a franchise ordinance approved October 17, 1905, which expired October 17, 1930. The City Council, on March 29, 1932, denied Southern Pacific Company's request for a new franchise to operate over these streets and directed the company to remove the tracks.

Authority was originally sought, in this proceeding, to abandon about 1,600 feet of these tracks from a point east of Garey Avenue to the westerly line of Park Avenue. Subsequent to the time the company filed its original application it filed an amendment reducing the amount of team track sought to be abandoned to that portion of the original proposal which lies east of the west line of Gordon Street, or, in other words, that portion of the team track originally sought to be abandoned west of the west line of Gordon Street, which included the crossing over Park Avenue, is eliminated from the application. This change was brought about as a result of the city giving the company the necessary permit to retain its tracks across Park Avenue.

The record shows that these tracks were constructed and used as team tracks and also to serve industries located west of Main Street and between Commercial Street and the company's main tracks, which are parallel to and immediately north of First Street. Applicant is desirous of retaining the tracks to the west of Main Street and would do so if the city would grant the necessary permit to cross both Park Avenue and Gordon Street. The company stated that the team tracks to the east of the west line of Main Street could be removed without inconvenience to shippers or its operation, as there is little use for these tracks at present. The city, on the other hand, took the position that there were certain objections to rail operation across Gordon Street but upon requests from the railroad it agreed to give further

consideration to the matter of granting a franchise for operation across this street, the City Planning Commission strongly urging that this permit be denied.

The city has now reported to the Commission that it has decided not to grant the company's request to operate across Gordon Street and has so advised the railroad. Of the four streets crossed by the team tracks involved herein, the company has, as the matter now stands, the city's consent to continue operation across Park Avenue only, and it is necessary that the company receive authority to remove the tracks to the west of the west line of Gordon Street.

During the year ending May 1, 1932, but 203 carloads of freight were handled on these team tracks and it appears that if a portion of the tracks should be abandoned as outlined above the remaining trackage will, for the present at least, sufficiently serve public convenience and necessity. Therefore, the application should be granted.

ORDER

Public hearing having been held in the above entitled matter, the matter being under submission and ready for decision,

IT IS HEREBY ORDERED that Southern Pacific Company is authorized to remove its team tracks in the City of Pomona between a point approximately 200 feet east of the east line of Garey Avenue and the west line of Gordon Street, as shown in red on the map attached to the application, designated as Drawing D-327. Upon the removal of said tracks from Garey Avenue, Main and Gordon Streets, the company shall restore the streets with

pavement of like kind to that in the adjacent portions of said streets.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 24th day of July, 1933.

CC Henry
Leon Wheeler
W. A. Co.
W. B. Harris
W. H. [unclear]

Commissioners.