

Decision No. 27433.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of SOUTHERN PACIFIC COMPANY to maintain its so-called Fair Oaks Branch between Citrus and Fair Oaks, California under less than full operation, as defined by Section 468 of the California Civil Code.

ORIGINAL

Application No. 19474.

BY THE COMMISSION:

O R D E R

Southern Pacific Company has filed the above-entitled application, requesting authority to maintain its so-called Fair Oaks Branch between Citrus and Fair Oaks, in Sacramento County, under less than full operation, as defined by Section 468 of the Civil Code of the State of California. This section of the code requires that after the completion of any railroad, or part thereof capable of being operated, its owner must operate it and upon his failure to keep it in full operation for a period of six months his right to operate is forfeited. This section also defines a railroad as being in full operation when one passenger or one mixed train is run over it once a day in each direction and a sufficient number of freight trains to accommodate the traffic on the road. The Railroad Commission is, however, given full power and authority to authorize the discontinuance of operation, in whole or in part, of any branch line of railroad without the forfeiture of the right to operate.

The line involved in this proceeding is a branch line two miles in length, operating between Fair Oaks and Citrus, a junction

with the Placerville Branch of applicant. The estimated annual expense of providing passenger service on this line is \$294, producing a revenue of some \$200, of which \$170 is revenue from mail contracts.

It appears that this is not a matter in which a public hearing is necessary and that the application should be granted, therefore,

IT IS HEREBY ORDERED that Southern Pacific Company is authorized to discontinue all passenger service on its so-called Fair Oaks Branch between Citrus and Fair Oaks, Sacramento County, provided that applicant shall furnish such freight service on this line as may be required.

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

Dated at San Francisco, California, this 10th day of October, 1934.

Leon Whittell

W. H. C.

W. B. Harris

W. H. C.

Commissioners.