

Decision No. 31590

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SACRAMENTO NORTHERN RAILWAY for certificate of public convenience and necessity to operate an auto stage line for the transportation of passengers, baggage, mail and express, as a common carrier, for compensation, between Oroville and the California-Nevada State Line near Peavine, in the County of Sierra, State of California, and intermediate points.

Supplemental
Application No. 19968

BY THE COMMISSION:

ORIGINAL

THIRD SUPPLEMENTAL OPINION AND ORDER

By this supplemental application Sacramento Northern Railway requests an amendment to condition No. 1⁽¹⁾ of Decision No. 28766, dated April 27, 1936 on Application No. 19968 and as amended so as to provide that applicant may suspend operation of its auto stage line between Oroville and Portola during the month of December and from January 1 to March 31 inclusive, of each year, in lieu of the present requirement that service be maintained on a year round basis subject to subsequent modification or alteration by supplemental order of the Commission.

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1. "The certificate herein granted applicant shall be accepted in writing by applicant within fifteen (15) days from date hereof, applicant stipulating in said acceptance that the service to be provided herein shall be established not later than June 1, 1937, and that said service shall be maintained during the entire year thereafter except as such condition may be modified or altered by a supplemental order of this Commission.

Applicant alleges that, with the establishment on June 12, 1938 of a daily "daylight" train service by Western Pacific Railroad Company between the points enumerated and on a comparable schedule, the volume of traffic, particularly during the winter months, became insufficient to justify the operation of both forms of transportation. Applicant's exhibit "A" attached to the application shows that a considerable loss has been experienced by Sacramento Northern Railway between Oroville and Portola during the period⁽²⁾ in which this line has operated. The exhibit also shows that service was suspended from December 10, 1937 until March 12, 1938 due to the fact that the Feather River Highway was closed to traffic during this period.

Considering that a comparable rail schedule is now being maintained between the points involved herein; that hazardous operating conditions have in the past been experienced during the winter months on the Feather River Highway over which applicant operates; that continued operation by applicant of its bus service during the winter period is not economically justified and will result in a substantial financial loss, the Commission is of the opinion that the request of applicant is a reasonable one and will not seriously affect the public interest.

It further appears that this is a matter in which a public hearing is not necessary. The application will be granted.

O R D E R

IT IS HEREBY ORDERED that condition No. 1 of Decision No. 28766 be and it is hereby modified to provide that in regard to maintenance of service, Sacramento Northern Railway may suspend the

2. Figures available from August to December, 1937 and March to October (inclusive) 1938.

operation of its automotive operation between Oroville and Portola ^{31st} during the month of December and from January 1 to March ^{31st} inclusive, ^{RM} of each year, provided there is in operation during this period passenger train service by the Western Pacific Railroad Company between the same points upon time schedules comparable to those heretofore maintained by Sacramento Northern Railway subject to the following conditions:

1. Applicant shall prepare and file on at least ten (10) days' notice to the Commission and the public a supplement to its tariff in triplicate and a time schedule in duplicate showing suspension of service as herein authorized.
2. Applicant shall notify the public of this suspension of service by maintaining notices in all passenger stages operated on this line for a period of not less than ten days in advance of the time the service is to be suspended each year.

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

Dated at San Francisco, California, this 19th day of December, 1938.

Robertson
Leon Whittell
Francis Devereux
W. B. Baker
COMMISSIONERS