

Decision No. 33925.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SOUTHERN
PACIFIC COMPANY, first, for permission to
discontinue the operation of mixed trains
operating between Chico and Stirling City,
and second, for authority to discontinue all
passenger service on its so-called Stirling
City Branch.

Application No. 22445

R. S. Myers, for Applicant.
H. S. Clewett, for Paradise and Allied Committees, Chamber
of Commerce, Butte County Fair Association, and Paradise
Fruit Growers, Inc., Protestants.
Matthew E. Marsh, for Diamond Match Company.

BY THE COMMISSION:

O P I N I O N

In this proceeding Southern Pacific Company applied for authority to discontinue operation of its mixed trains between Chico and Stirling City, and to discontinue all passenger service on its so-called Stirling City Branch.

A public hearing was held in this matter before Examiner Hall on April 11, 1939, in Chico, at which time the matter was submitted.

Applicant now operates a mixed train (No. 526) between Chico and Stirling City on Mondays and Fridays, and another mixed train (No. 527) between Stirling City and Chico on Tuesdays and Saturdays.

Applicant presented a traffic check taken between December 19, 1938, and February 28, 1939, or 72 days, which showed that train No. 526, making 21 trips, handled 10 passengers, which resulted in a gross revenue of \$5.80. During this same period train No. 527 made 21 trips, carried 11 passengers, which resulted in a revenue of \$5.75. A further check between May 14th and 27th, 1938, showed that train No. 526 carried no passengers and that train No. 527 carried one passenger. From these checks it was estimated that the annual

passenger revenue of these two trains was around \$50.00.

Applicant showed by Exhibit No. 1 that by discontinuing these mixed trains between Chico and Stirling City, and handling its freight business by exclusive freight trains, the annual saving would be about \$2,174.

The record shows that the territory between Chico and Stirling City is served by a certificated highway carrier who handles passengers, express, and less-than-carload freight.

By the above showing applicant contends that public convenience and necessity do not justify the continued operation of passenger service on its Stirling City Branch.

The granting of this application was protested by the residents of the Paradise community, which is located about 17 miles east of Chico. It was their contention that the Paradise area, which is about five miles long and five miles across, is rapidly developing, the population is increasing each year, and that there is sufficient population in that area to warrant continued operation of the trains. Furthermore it was shown that Butte County Fair is held at Paradise, which attracts a large number of people from all of Butte County. It is protestants' belief that if better passenger train service were installed on the Stirling City Branch, sufficient patronage would develop to justify the continuance of passenger service. A large number of school students go from Paradise to Chico each day to attend the high school and this travel could be handled by passenger service if operated daily.

The Diamond Match Company's representative did not protest the abandonment of passenger service but requested that sufficient freight service be continued to take care of the output of this company's mills, located at Stirling City.

The record shows that there is a good paved highway between Chico and Stirling City, passing through Paradise, and that this highway is extensively used by people in the areas along the route of the Stirling City Branch. The pupils going to high school are all carried by busses owned by the High School District at no direct cost to these pupils.

The record clearly indicates that on account of the good highway between Paradise and Chico, the present passenger service, or an improved passenger service, would not develop sufficient traffic to warrant the continued operation of passenger service, nor should we require applicant to continue the operation of this service which brings a revenue of approximately \$50 per year at a loss of around \$2,000 per year.

It is concluded from the record in this proceeding that public convenience and necessity do not require the operation of mixed trains between Chico and Stirling City, and the continuance of passenger service on the so-called Stirling City Branch, therefore the application will be granted.

O R D E R

A public hearing having been held and the matter having been submitted

IT IS HEREBY ORDERED that Southern Pacific Company is authorized to discontinue the operation of mixed trains between Chico and Stirling City, to discontinue all passenger service on said Stirling City Branch, and to cancel, in conformity with the rules of this Commission, all passenger rates, tariffs, and time schedules applying to said branch on not less than ten (10) days' notice to the Commission and the public, by posting notice at the stations along said branch and in the trains operating between Chico and Stirling City.

The authorization herein granted shall lapse and become void

if not exercised within one (1) year from the date hereof, unless further time is granted by subsequent order.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 25th day of April, 1939.

Raybernabund
Joann C. Blom
Cal H. Cress
H. H. K.
James J. Casner
Commissioners