

Decision No. 33262

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of  
Los Angeles & Salt Lake Railroad Com-  
pany, a corporation, and its lessee,  
Union Pacific Railroad Company, a cor-  
poration, for the modification of De-  
cision No. 4598 and Decision supple-  
mental thereto in the matter of Applica-  
tion No. 3070.

Application No. 3070.

**ORIGINAL**

BY THE COMMISSION:

SUPPLEMENTAL ORDER

By the provisions of a Supplemental Order (Decision No. 4718, dated October 5, 1917), in the above numbered proceeding, the Los Angeles and Salt Lake Railroad Company was required, during the life of the operating agreement between the Riverside, Rialto and Pacific Railroad Company and Pacific Electric Railway Company, to maintain as adequate freight and passenger service as was at that time offered by the Riverside, Rialto and Pacific Railroad Company; further, that, in any event, the Los Angeles and Salt Lake Railroad Company, either on its own behalf or through lease agreements, should render as adequate and efficient freight and passenger service as might be warranted by existing conditions.

One of the provisions of Decision No. 33088, dated May 14, 1940, in Application No. 21656 and related proceedings, authorized the discontinuance of passenger service between Rialto and Riverside, which was predicated upon the fact that reasonable and adequate service between Los Angeles and Riverside was provided through the medium of a Pacific Electric motor coach line and that the additional rail service between Los Angeles and Riverside, by way of the Rialto Branch, was no longer necessary.

In the instant proceeding, Los Angeles and Salt Lake Railroad Company and its lessee, Union Pacific Railroad Company, asked that Decisions Nos. 4598 and 4718 be modified, so as to relieve these carriers of any obligation to maintain passenger service over the line in question. The petition also asked that the Union Pacific Railroad Company be relieved of any obligation to maintain freight service over this line within the limits of the City of Rialto, it being alleged that adequate freight service is now furnished within that city by Pacific Electric Railway Company.

The Union Pacific Railroad Company is primarily a railroad using steam power, and special equipment would of necessity have to be acquired if the petitioner were to continue the passenger service. The conclusions which prompted the Commission to authorize the abandonment of passenger service by Pacific Electric Railway Company over this line seem equally applicable to the Union Pacific Railroad Company and we are of the opinion that no justification exists for continued rail passenger service by any operator.

Ordinances of the City of Rialto prohibit the rendition of any service on the line by the use of steam equipment and it therefore would appear that the request to be relieved of the obligation of maintaining freight service within the city limits of the City of Rialto is reasonable.

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

IT IS HEREBY ORDERED that Condition No. 2 of Decision No. 4598, dated August 29, 1917, as subsequently modified by Decision No. 4718, dated October 5, 1917, both in this proceeding, is hereby revoked and of no further force and effect.

IT IS HEREBY FURTHER ORDERED that the Los Angeles and Salt Lake Railroad Company and its lessee, Union Pacific Railroad Company,

are hereby relieved of any obligation to maintain freight service on the Rialto-Riverside line within the limits of the City of Rialto, San Bernardino County.

In all other respects, Decisions Nos. 4598 and 4718 shall remain in full force and effect.

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

Dated at San Francisco, California, this 25<sup>th</sup> day of June, 1940.

Ray L. Roney  
Stanley D. Smith  
Raymond A. ...  
...

Commissioners.