

ORIGINAL

Decision No. 35302

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of)
 NORTHWESTERN PACIFIC RAILROAD)
 COMPANY to discontinue the oper-) Application No. 24852
 ation of trains Nos. 1 and 2 be-)
 tween San Rafael and Eureka.)

BY THE COMMISSION:

O P I N I O N

Applicant now operates two passenger trains daily in each direction between San Rafael and Eureka. (1) Trains Nos. 1 and 2 are often referred to as day trains and trains Nos. 3 and 4 as night trains. In this proceeding authority is sought to discontinue the operation of trains Nos. 1 and 2. In the application it is alleged that the Northwestern Pacific Railroad Company, and its parent company, Southern Pacific Company, are in dire need of additional steam motive power to meet the added transportation requirement incident to war activities. Applicant states that the public need for the continuance of passenger trains Nos. 1 and 2 is far less than the need for these engines in freight service. It is further contended that a study of the available steam motive power on applicant's system shows that from a public necessity standpoint the engines on trains Nos. 1 and 2 can be released with the least inconvenience to the general public.

Ordinarily this application would be set for public hearing, particularly where protests have been filed to the granting of the application, as is the case here, but in the interest of permitting this carrier to meet the emergency for motive power without further delay we will grant it the right to suspend its operation until

(1)

<u>Train No.</u>	<u>San Rafael</u>	<u>Eureka</u>
1	Ar. 5:25 p.m.	Lv. 7:15 a.m.
2	Lv. 8:40 a.m.	Ar. 6:40 p.m.

further order of this Commission. In the interest of permitting the United States Postal Department time to make arrangements for a substitute mail carrier applicant will be required to give not less than five days' advance notice of such discontinuance to the United States Postal Department at San Francisco, the general public using the facilities, and this Commission.

O R D E R

Northwestern Pacific Railroad Company having filed application to discontinue operation of its trains Nos. 1 and 2 between San Rafael and Eureka and the Commission having given careful consideration to the matter,

IT IS HEREBY ORDERED that Northwestern Pacific Railroad Company is authorized to suspend, on five (5) days' notice to the public, the post office officials, and this Commission, the operation of passenger trains Nos. 1 and 2 between San Rafael and Eureka until further order of the Commission.

This order shall be effective immediately.

Dated at San Francisco, California, this 28th day of April, 1912.

Justice F. Brewer
Paul L. Riley
J. J. Baker
Richard A. ...
Commissioners

I concur in the foregoing opinion and order, but I believe that, as the application is based upon the allegation that applicant and its parent company, Southern Pacific, are "in dire need of additional steam motive power to meet the added transportation requirement incident to war activities", the right to discontinue the operation of the trains referred to should terminate with the war emergency when applicant company should be required to resume operation of these trains.

Frank R. Havenner

FRANK R. HAVENNER
Commissioner.