

ORIGINALDecision No. 38062

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
 Yosemite Valley Railway Company, a)
 corporation, for a certificate of)
 public convenience and necessity)
 authorizing the abandonment of its)
 railroad lines and the operation)
 thereof.)

Application No. 26422

DeWitt Morgan Manning and L. E. Tripp for applicants.

Robert E. Hardwicke for Petroleum Administration for War.

John C. Parsons for War Production Board.

Kenyon F. Lee, C. Ray Robinson, Samuel V. Cornell,
 Harry See, G. F. Irvine, H. E. Owens, and J. P.
 Hogan for protestants.

BY THE COMMISSION:

O P I N I O N

In this application Yosemite Valley Railway Company through its trustee, Howard C. Bonsall, requests authority to abandon its entire line of railroad. A similar application was filed with the Interstate Commerce Commission (I.C.C. Finance Docket No. 14688) and a joint hearing was held at Merced on December 1, 1944, at which hearing it was stipulated that the record in the Interstate Commission's docket could be considered as part of the record in the application before the state commission.

The federal commission, on June 26, 1945, made its decision granting the authority sought. That decision contains a complete review of the record which need not be repeated here.

The railroad extends from connections with Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company at Merced to El Portal near the westerly boundary of Yosemite National Park, a distance of 77.7 miles. It was originally constructed in 1905-1907 to furnish access to the Yosemite Valley. Until recently the company has enjoyed a substantial revenue from the transportation

of logs to a lumber mill located on its line at Merced Falls and of lime rock from a quarry at Emery to a cement plant at Merced. Both of these industries have now ceased operation and disposed of their plants and the remaining traffic consists principally of shipment of a barium product from a mine near El Portal, oil, gasoline, and other supplies into the Yosemite National Park, and during the war emergency, of a small amount of zinc concentrate from Merced Falls. Passenger and mail revenue disappeared with the discontinuance of regular passenger train service shortly after war conditions reduced tourist and recreational travel to a minimum.

Operating revenues and expenses during the first ten months of 1944 were as follows:

Railway Operating Revenues	\$145,710.18
Railway Operating Expenses	<u>140,029.92</u>
	5,680.26
Railway Tax Accruals	<u>13,468.78</u>
Railway Operating Income	\$(7,788.52)*

* Deficit

The abandonment was protested at the hearing principally by The National Lead Company, producers of the barium shipments from El Portal. Subsequently, this company withdrew its protest with the understanding that the railroad company would provide a roadway into its plant utilizing the abandoned right of way thereby permitting shipment by truck over public highway from El Portal.

Abandonment of the line will result in some inconvenience and damage to shippers and the public but operation cannot be continued at any reasonable profit on the value of the property and this application must therefore be granted. The following form of order is recommended.

ORDER

Public hearing having been held on the above numbered application, the matter having been submitted and ready for decision,

IT IS HEREBY ORDERED that Yosemite Valley Railway Company, through its trustee, Howard C. Bonsall, is authorized to abandon its entire line of railroad in Merced and Mariposa counties, California, and to cancel all tariffs and time schedules on one (1) day's notice to the public and this Commission subject, however, to the condition that prior to abandonment a satisfactory roadway be constructed between the plant of National Lead Company and the public highway.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 23^d day of July, 1945

Howard C. Bonsall
Justice F. Quinn

Justice F. Quinn
COMMISSIONERS