

ORIGINAL

Decision No. 43329

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SOUTHERN PACIFIC COMPANY to discontinue)
the operation of passenger Trains Nos.) Application No. 30620
69, 70, 96 and 97, operating between)
San Francisco and Los Angeles, California.)

- Evan J. Foulds and R. W. Myers, for applicant.
- William E. Pollard, for Dining Car Cook's & Waiters Union, protestant.
- Frank G. Pellett, for Brotherhood of Railroad Trainmen, protestant.
- W. O. Orr, for Ventura Chamber of Commerce, interested party.
- J. J. Deuel, for California Farm Bureau Federation, interested party.
- W. A. Rohde, for San Francisco Chamber of Commerce, interested party.
- J. C. Billedeau, for King City and Southern Monterey Chamber of Commerce, protestants.
- Timothy O'Rielly, Mayor of San Luis Obispo, for San Luis Obispo Chamber of Commerce; the City of San Luis Obispo; and the Democratic Central Committee of San Luis Obispo County, protestants.
- Robert E. Wright, City Attorney of Paso Robles, for the City of Paso Robles and Atascadero, protestants.
- Thomas J. Barry, for the Paso Robles Chamber of Commerce, protestant.
- John Henning, for the California State Federation of Labor, protestant.

O P I N I O N

In this proceeding, Southern Pacific Company seeks authority to make certain revisions in its passenger train service between San Francisco and Los Angeles via the Coast Route. To effect these revisions it proposes to discontinue the operations of Trains Nos. 69 and 70, known as the Coaster, and Trains Nos. 96 and 97, known as the Noon Daylight, and coincident therewith establish a

(1)
new passenger train service to be known as the Starlight. The new Starlight would be operated daily between San Francisco and Los Angeles via the Coast Route, leaving each terminal at 8:15 p.m. and arriving at the opposite terminal at 6:45 a.m. the following day.

As a part of the above described program, applicant plans to change the arrival and departure times of passenger Trains Nos. 71 and 72. Train No. 71 leaves Los Angeles at 6 a.m. daily and arrives at San Francisco at 9:30 p.m. Train No. 72 leaves San Francisco at 7:35 a.m. daily, and arrives at Los Angeles at 10:30 p.m. The schedules of these trains would be rearranged so that they would leave the respective terminals of San Francisco and Los Angeles simultaneously at 9:15 p.m. daily and arrive at the opposite terminals at 12:15 p.m. the next day. Under this plan the departures of these trains would be 15 minutes after that of the Lark, (Trains Nos. 75 and 76): Trains Nos. 71 and 72 are passenger trains designed primarily to handle "head-end" traffic consisting of baggage, express and mail. They would also provide service for local coach passengers between the terminals and all intermediate points between San Francisco and Los Angeles on the Coast Route.

(1) Hereinafter Trains Nos. 69 and 70 will be referred to as the Coaster, and Trains Nos. 96 and 97 as the Noon Daylight. Train No. 69 leave Los Angeles at 7:40 p.m. and arrives at San Francisco at 8:45 a.m., the next day. Train No. 70 leaves San Francisco at 7:15 p.m. and arrives at Los Angeles at 7:45 a.m., the following day. Trains Nos. 96 and 97 leave San Francisco and Los Angeles, respectively, at 12:15 p.m. and arrive at Los Angeles and San Francisco, respectively, at 9:55 p.m., the same day.

Pursuant to the provisions of the Commission's General Order No. 27-A, applicant on September 10, 1949, filed a written notice with the Commission of its intention to discontinue the Noon Daylight and the Coaster. Simultaneously it informed the Commission of its plan to establish the new Starlight. On September 15, 1949, applicant filed proofs of the proposed time table changes. Subsequent to the filing of that notice, certain protests were received by the Commission which, pursuant to the provisions of said General Order No. 27-A, thereupon required Southern Pacific Company to file a formal application requesting authority to discontinue those trains. The application was filed September 14, 1949, and a public hearing thereon was had before Commissioner Craemer and Examiner Paul at Los Angeles and San Francisco on September 21 and 22, 1949, respectively, and the matter was submitted.

In support of the authority sought oral and documentary evidence was produced through officers of applicant. Estimates were introduced purporting to show that by the execution of the proposed plan, certain direct cost savings in excess of one million dollars annually would accrue to applicant. There was testimony that additional savings would be realized upon items excluded from the above estimate. Such items include payroll taxes, losses accruing from the services provided on dining cars, pullman service, depreciation on equipment, insurance, accounting costs and other items. It was stated these savings would approximate a minimum of \$300,000 annually. Of this amount, a saving of about \$176,000 annually would be realized from discontinuance of dining car service on the Noon Daylight and the Coaster.

There was evidence that traffic on the Coaster for the months of June, July and August, 1949, showed a decline of 39.2 per cent over the corresponding period of 1948. At the present time, one standard and two tourist sleepers are operated on that train, the traffic of which consists of more than 80 per cent coach passengers. One of the functions of the standard sleeper equipment of the Coaster is to accommodate some of the over-flow traffic from the Lark. The evidence shows a down-trend in 1949 of sleeping car passengers on the Coaster as compared with the like period of 1948 and an up-trend of coach passengers. The Lark, now operating at a load factor of approximately 75 per cent, has a normal capacity of 290 passengers. Use of this service is available to holders of first class tickets only.

A witness for applicant testified that the present trend in rail travel has produced a strong demand for fast, economical, overnight chair car service between San Francisco and Los Angeles. To satisfy this demand, applicant plans to establish, in lieu of the Coaster, the new Starlight equipped with modern, streamlined, reserved seat chair cars, a snack car, a tavern car and a parlor car. This train would provide low cost accommodations on a schedule enabling passengers to leave terminals after dinner and arrive at destination before breakfast, avoiding any meal expense en route. Witnesses for applicant contended that this high speed streamlined operation, on a schedule of 10 hours and 30 minutes between terminals, would better enable applicant to meet the strong

competition of airline service,⁽²⁾ passenger stage carriers, other rail carriers and the private automobile. Witnesses for applicant also testified that with the seasonal decline in traffic now being experienced, pullman passengers normally moving on the Coaster could be readily absorbed by the Lark which operates on 12 hour schedules leaving at 9 p.m. They further testified that any necessary seasonal service will be established as required. Coach passengers presently utilizing the Coaster would be afforded a superior type of accommodations on the Starlight with a substantially faster schedule at no added transportation cost.

The principal objection to applicant's proposed plan of operation arose from various communities in the Salinas Valley. The fear was expressed that the mail service would not be comparable to that now received. The evidence produced by applicant in this regard indicated that no community would receive mail service inferior to that now received and that most communities would receive a better service.

An objection was made that pullman car space is allocated to an insufficient number of Coast Route points. Thereupon, applicant offered to make arrangements to allocate space to additional points, this space to be held not later than 36 hours before departure time of pullman trains.

Although a number of protestants appeared, none produced any evidence other than by cross-examination of applicant's witnesses.

(2) It was shown that there are 45 southbound and 46 northbound airline schedules with 1,591 and 1,642 available seats, respectively, operating daily between San Francisco and Los Angeles. Many are reported to be operating with near capacity loads.

A review of the evidence of record in this proceeding shows that a relatively few users of applicant's service would be inconvenienced by the proposed changes. But it also shows that under the proposed plan applicant would be able to effect substantial operating economies and provide an improved and superior type service for the great majority of its patrons.

The record in this proceeding clearly shows that the continued operation of the Noon Daylight and the Coaster is not warranted at this time. It further shows that public convenience and necessity would be better served by establishment of the new Starlight in conjunction with the remaining passenger trains of applicant which the record shows have ample unused capacity to meet present traffic requirements. Therefore, the application will be granted.

As above set forth, applicant gave due notice to the Commission and the public of its plans, thereby fully complying with the Commission's General Order No. 27-A. Relying upon the provisions of said General Order applicant proceeded with its plans by advertising and notification to the public and its agents that the plan to discontinue the Noon Daylight and the Coaster and establishment of the new Starlight would be effective October 2, 1949. The record developed at the hearing fully supports the application, and to avoid unnecessary confusion it appears to be appropriate and in the public interest to make the order herein effective as of its date.

Applicant will be expected to inform the Commission within 60 days after the effective date hereof of its plans to allocate pullman space to additional points as offered at the hearing.

O R D E R

A public hearing having been held in the above entitled proceeding, the matter having been submitted and based upon the conclusions and findings expressed in the foregoing opinion,

IT IS ORDERED that Southern Pacific Company is hereby authorized to discontinue the operation of its passenger Trains Nos. 69 and 70, and 96 and 97 between San Francisco and Los Angeles via the Coast Route, coincident with establishment of the new Starlight, subject to the following conditions:

1. That applicant shall cancel in conformity with the rules of this Commission all passenger time tables and passenger tariffs applicable to Trains Nos. 69 and 70, and 96 and 97.
2. That applicant shall give not less than 3 days' notice to the public of its discontinuance of passenger train service herein authorized, by posting notices in those trains and in agency stations involved.
3. That applicant shall within 30 days thereafter notify the Commission in writing of the abandonment of the passenger trains herein authorized.
4. That the authorization herein granted shall expire if not exercised within one year from the date hereof.

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

Dated at San Francisco, California, this 27th day of September, 1949.

Justin J. Green
Don A. Lowell
Harriet P. Hill
James H. Potter
COMMISSIONERS