

ORIGINALDecision No. 67179

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of SOUTHERN PACIFIC
 COMPANY to discontinue the operation
 of passenger trains Nos. 126 and 141
 between San Jose and Monterey.

Application No. 46304
 (Filed March 20, 1964)

ORDER OF DISMISSAL

By the instant application Southern Pacific Company again requests authority to discontinue the "Del Monte" train service between San Jose and Monterey. Applicant alleges that public convenience and necessity no longer require its continuance.

Following extensive hearings the Commission denied a similar request by Decision No. 65530 dated June 4, 1963, in Application No. 44796. The short period of time that has elapsed since the Commission fully explored the circumstances relating to "Del Monte" service is insufficient to have materially changed conditions so as to justify another full scale inquiry. The application is premature to say the least.

The Commission finds that the elapsed time since the rendition of said Decision No. 65530, does not constitute a reasonable and fair trial period to test the operations of said train service from the standpoint of public convenience and necessity.

Therefore, good cause appearing,

IT IS ORDERED that Application No. 46304 is hereby dismissed without prejudice.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 5th day of MAY, 1964.

William W. Bennett
President

George F. Hoover

George F. Hoover

Fredrick B. Halaloff
Commissioners

Concur in the order
and the reasons are
set forth in the
concurring opinion
attached hereto.

William W. Bennett

BENNETT, William M., Commissioner, concurring opinion:

I concur in the Order of Dismissal. This application by Southern Pacific Company is another example of its calculated campaign to downgrade and to diminish as much passenger train service as regulatory authority permits. The application demonstrates to me that Southern Pacific Company has no concern for its obligation to those Californians who wish to ride trains. It shows a complete unawareness upon the part of this management of its responsibilities as a public utility common carrier.

In the past, the Southern Pacific Company has drastically curtailed those incidental services which are conducive to passenger patronage. It has downgraded service and thus it has created its own case for abandonments. At least 25 passenger trains have been discontinued by the Southern Pacific since January 1, 1952, not to mention the countless agency and nonagency stations which it has closed. It is ironic that none of these savings somehow are ever translated into fare and rate reductions.


Despite the insistence of the California Public Utilities Commission upon the continuance of the operation of certain trains, nonetheless, because of Section 13a of the Interstate Commerce Act, the Southern Pacific has been able to override the objections of this Commission and under Federal authority abandon passenger train service which was in the first instance denied by this Commission.

It is an incontrovertible fact that this applicant possesses the financial resources to meet its obligations to the public of California and it is not doing so. It is seeking to conduct its operations as though it were beyond the restraints of regulation.

Southern Pacific Company should be making every effort to coordinate and to expand its existing passenger service into the rapid transit complexes of this state. For example, the San Francisco Bay Area is one of those superregions of the United States which is in the process of accelerated consolidation. If these superregions are to function effectively, a mass rapid transit network must be supplied to connect cities beyond its periphery, such as Sacramento, Stockton, Salinas, Santa Rosa, and others, to it.

It is necessary that private decisions be made upon the basis of the broad public interest, with some degree of imagination and awareness of public responsibility. Small visions and small decisions will not suffice, and thus far, Southern Pacific, to my knowledge, has no interest and, of course, no plan whatsoever to coordinate its passenger trains to the rapid transit programs of this state. A complacent do-nothing attitude can hardly justify the charge of "socialism" when nationalization of the railroads is being seriously discussed as an answer to the transportation needs of a nation and a state.

It is ironic that in the Western Pacific control case, this applicant seeks to acquire, to control and to operate the Western Pacific Railroad Company. It is appalling, if the past be any key to the future, to imagine the downgrading of service which would commence if Western Pacific were to be taken over by the Southern Pacific Company. As an aside, it is deep concern for the welfare of those Californians who wish to ride passenger trains which compels me to conclude that Western Pacific, if possible, should remain independent, but if not, it should be taken over by Santa Fe and under no circumstances by the Southern Pacific Company.


WILLIAM M. BENNETT, Commissioner