

ORIGINAL

Decision No. 67496

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
The Atchison, Topeka and Santa Fe)
Railway Company, a corporation, for)
authority to reduce its passenger)
train service between Los Angeles)
and San Diego and certain inter-)
mediate points.)

Application No. 46609

Investigation on the Commission's)
own motion into the operations,)
service, rates, rules, regulations,)
facilities, equipment, contracts,)
and practices of THE ATCHISON,)
TOPEKA AND SANTA FE RAILWAY COMPANY,)
a corporation, within the State of)
California.)

Case No. 7905

Frederick G. Pfrommer, Richard K. Knowlton and
Neal W. McCrory, for applicant.
George W. Ballard, for Brotherhood of Railroad
Trainmen, AFL-CIO; H. W. Taggart, for Brother-
hood of Railway Clerks; Leonard M. Wickliffe,
for Railroad Brotherhood's California Legis-
lative Association; Robert M. Himrod, for
Orange County Commuters Association; Kenneth
E. Kulzick, in propria persona; Carl B. Smith,
in propria persona and for Capistrano Beach
Community Association; Gerrit Stuurmans, for
San Clemente Chamber of Commerce; protestants.
Edwin L. Miller, Jr., for the City of San Diego;
Dale Austin, for City of Oceanside; Alan R.
Watts, for City Attorney's Office of Anaheim;
George P. Karcher, for Anaheim Downtown Associ-
ation; Thomas J. O'Keefe, for Shorecliffs
Community Association; interested parties.
Harold J. McCarthy and Charles Astrue, for the
Commission staff.

INTERIM OPINION

Application No. 46609 was filed on May 5, 1964 by The Atchison, Topeka and Santa Fe Railway Company requesting authority to discontinue the five daily round-trip passenger train schedules

between Los Angeles and San Diego and to substitute therefor a limited schedule of one morning and one evening train in each direction.

On May 19, 1964, the Commission issued its order instituting an investigation into the operations, service, rates, rules, regulations, facilities, equipment, contracts, and practices of The Atchison, Topeka and Santa Fe Railway Company. The two matters were consolidated and public hearings in said matters were held before Commissioner McKeage and Examiner Fraser on June 24 and 25, 1964 in San Diego and on June 26, 1964 in Santa Ana. Additional days of hearing are scheduled during July and August in Los Angeles.

The applicant filed a written motion on June 15, 1964 which requested that an order be issued to authorize the discontinuance of Trains 70 and 81. The motion was also made on the record during the first day of hearing in San Diego.

Train Schedules

California Daylight Saving Time is used.

Train 70

Lv. L.A. 1:45 a.m. Stops at
Fullerton, Anaheim,
Orange, Santa Ana,
Oceanside, Encinitas,
Del Mar. (Note -
Encinitas and Anaheim
are flag stops.) Arr. San Diego 5:00 a.m.

Train 81

Lv. San Diego 9:00 p.m. Stops at
Del Mar, Oceanside,
San Clemente, Santa
Ana, Fullerton. Arr. L.A. 11:50 p.m.

The record shows these trains are almost exclusively mail carriers and were originally scheduled to coincide with the requirements of a United States Post Office Department mail contract. The mail contract was canceled effective July 1, 1964, which eliminated

the primary reason for the service provided by these trains. The record further shows that the daily passenger revenue from each of these trains is less than the wages of the train crew and that the applicant is now suffering a loss on these two trains.

Several parties suggested that a ruling on the motion be deferred until the matter is submitted, or at least until all of the staff's evidence has been received. It was also suggested that the trains be rescheduled at a time convenient to the Los Angeles commuters from Orange County.

After consideration, the Commission finds that:

1. Santa Fe Trains 70 and 81 are primarily mail trains and were scheduled to satisfy the requirements of the United States Post Office Department.

2. The mail contract was canceled by the United States Post Office Department, effective July 1, 1964.

3. The passenger revenue from each of these trains is less than the wages of the train crew and the applicant is now suffering a loss on the operation of these trains.

4. Public convenience and necessity do not require the operation of applicant's Trains 70 and 81 during the pendency of this proceeding.

Based upon the foregoing findings, the Commission concludes that:

1. The applicant has presented sufficient evidence to establish a basis for interim relief.

2. The motion should be granted to the extent provided in the order. ✓

INTERIM ORDER

IT IS ORDERED that:

1. The motion of The Atchison, Topeka and Santa Fe Railway Company, a corporation, to discontinue Trains 70 and 81 is granted, ✓
during the pendency of this proceeding. ✓

2. Not earlier than August 1, 1964, and on not less than ten days' notice to the Commission and to the public, The Atchison, Topeka and Santa Fe Railway Company may discontinue the operation of Trains 70 and 81 until further order.

3. Notice of discontinuance of service shall be published in daily newspapers of general circulation in the Counties of Los Angeles, Orange and San Diego at least once, more than ten days before discontinuance of service, and such notice shall be posted in the coaches of Trains 70 and 81 for a period of ten days prior to discontinuance of service and at all of applicant's stations served by said trains.

4. Prior to discontinuance of service, applicant shall amend its timetables presently on file with this Commission to reflect the authority herein granted.

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

Dated at San Francisco, California, this 10th
day of JULY, 1964.

Frederick B. Halbach
President

[Signature]

George H. Trotter
William B. Bonds
Commissioners