

ORIGINAL

Decision No. 79255

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

UNITED TRANSPORTATION UNION,
CALIFORNIA LEGISLATIVE BOARD AFL-CIO,

Complainant,

v.

SOUTHERN PACIFIC TRANSPORTATION
COMPANY,

Defendant.

Case No. 9211
(Filed April 23, 1971)

Re Southern Pacific Transportation
Company Notice of Proposed Discontin-
uance of Portion of Trains 126-141,
"Del Monte" between Monterey and San
Jose.

Case No. 9214
(Filed April 27, 1971)

ORDER OF DISMISSAL AND DISCONTINUANCE

A Preliminary Injunction having been issued by the United States District Court for the Northern District of California on April 29, 1971 prohibiting this Commission from in any manner enforcing its Temporary Restraining Order of April 27, 1971 in Case No. 9214, which ordered Southern Pacific Transportation Company to refrain from discontinuing its Trains 126 and 141, "Del Monte" passenger service, between San Jose and Monterey (Southern Pacific Transportation Co. v. Public Utilities Commission, Case No. C-71 805 (A-J2), Fed. Dist. Ct., No. Dist. Calif.); said Temporary Restraining Order having been issued by the Commission in connection with Case No. 9211 which is a complaint filed April 23, 1971 by the United Transportation Union, California Legislative Board AFL-CIO against Southern Pacific Transportation Company requesting that the Commission order said railroad to refrain from discontinuing said passenger service to afford complainant and the public an opportunity to

present evidence at a hearing regarding said matter; said passenger service having been discontinued on or about May 1, 1971; no request having been made by any party for a hearing on said Preliminary Injunction issued by the Federal Court,

IT IS ORDERED that:

1. The complaint in Case No. 9211 is dismissed without prejudice.
2. The Temporary Restraining Order in Case No. 9214 is vacated and said case is discontinued.

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

Dated at San Francisco, California, this 19th
day of OCTOBER, 1971.

[Signature]
Chairman
[Signature]
[Signature]
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Commissioners