

Decision No. 82514

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern Pacific
Transportation Company for
Authority to Increase Suburban
Fares Between San Francisco and
San Jose and Intermediate Points.

Application No. 53666

ORDER DENYING REHEARING AND
MODIFYING DECISION NO. 82242

A petition for rehearing of Decision No. 82242 has been filed by Peninsula Commute & Transit Committee. The Commission, after considering each and every allegation therein, is of the opinion that good cause for rehearing has not been made to appear. However, one matter raised by petitioner does require further discussion and does necessitate a modification of Decision No. 82242.

Petitioner challenges Conclusion No. 2 in Decision No. 82242 wherein it is provided in part that:

"At this time applicant should not be required ... to engage in additional promotional activities to attract additional passengers."

Given our concern, as expressed in Decision No. 82242, with respect to the diminishing of applicant's traffic and applicant's lack of plans to diagnose its own illness, it is now our opinion that Conclusion No. 2 should be modified to show that applicant's promotional activities, or the lack thereof, will be a material issue in future rate proceedings, to the extent that the need for such relief is attributable to diminished traffic.

THEREFORE, IT IS ORDERED that:

1. Conclusion No. 2 in Decision No. 82242 is modified as follows:

"2. At this time, applicant should not be required to obtain new passenger train equipment."

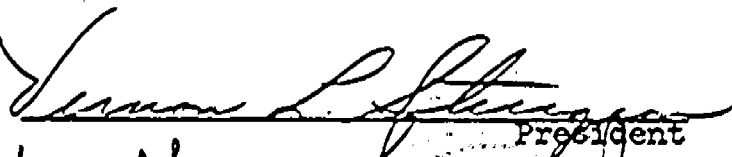
2. Decision No. 82242 is further modified by adding Conclusion No. 2.5 as follows:

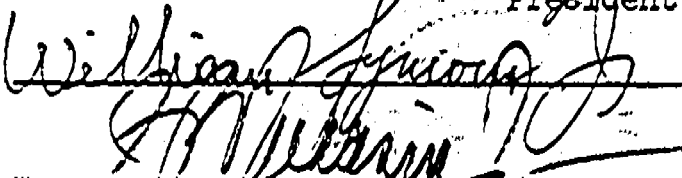
"2.5 Applicant is hereby placed on notice that its promotional activities to attract additional passengers, or the lack of said activities, will be a material issue in future rate proceedings to the extent that any rate relief sought is attributable to diminished traffic."


3. Rehearing of Decision No. 82242, as modified herein, is denied.


The effective date of this order is the date hereof.

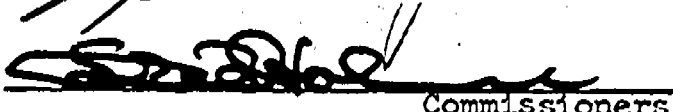
Dated at San Francisco, California, this 28th day of FEBRUARY, 1974.



President








Commissioners