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REPORT OF COMMISSION

STATE RAILROAD BOARD HAS ISSUED REPORT FOR YEAR 1913.

Activity of Commission Steadily Increasing.—Results Are Gratifying.

Salem, Ore., Mar. 5.—Regulation of public utilities, together with steady growth of railroad business has increased the work of the Railroad Commission of Oregon just 27 per cent in one year, measured by the volume of formal complaints handled. This is one of the features disclosed by the annual report of the Commission for the year ending December 15, 1913, which has just been made public.

Chairman Frank J. Miller and his colleagues, Thomas K. Campbell and Clyde B. Aitchison, in telling the story of the year's work, have naturally covered a much broader field than usual, and the report is especially interesting in its explanation of the progress made in the new duties assigned by the public utilities act.

The net operating revenue of all of the railroads of the state for the year ending June 30, 1913, was \$8,632,743.82, the report shows; a gain of \$686,156.25 over the figure for the previous year. Total operating revenue of all roads on state business was \$14,865,885.53, of which \$5,160,464.78 came from freight, \$8,777,926.56 from passengers, \$380,626.44 from other passenger train revenue, \$235,429.75 from other transportation services, and \$311,438 from sources other than transportation.

Oregon's proportion of interstate railroad revenue is almost equal to the state revenue, being \$14,597,156.56, making the total railroad revenue \$29,463,042. The operating expense assigned to Oregon amounts to \$19,261,509.90, leaving a net operating revenue for the railroad balance sheets of \$10,201,532.19. As the taxes totalled \$1,568,788.37, the clear net returns stands at \$8,632,743.82.

The total railroad mileage operated in the state is given as 3,278, of which 426 is electric road mileage. Increase in mileage in the state in the line owned is 64 miles, and 47 additional miles are shown to have been placed in operation. The electric roads show well in revenue in proportion to their mileage, the 426 miles of electric road having yielded \$1,643,680.28 in net operating return after deducting over half a million in taxes, or about twice the return per mile, taken collectively, made by the steam lines.

Reviewing the great amount of work required to properly classify the utilities of the state, 1913 being the first year that electric, gas, water, telephone and street railway companies have been under regulation by the state, the report proceeds to discuss the principles applied to the making of rates, saying:

"It was early apparent that considerable time would be required before rate making problems for the larger utilities of the state could be properly considered and solved. Rate making, as required by law and by sound public policy is not a matter of guess work. To be upheld by the courts, to be permanent in results, to be just alike to the public and to

the corporations concerned, it must be founded upon exact information, and it must proceed upon a reasonable application of the laws governing the complex relations that have grown up around modern industrial conditions. The blind fixing of rates upon inadequate information, or no information at all, as has been attempted in some instances within the public memory, cannot be defended either in law or equity, and has nearly always resulted in confusion and disaster.

"The Commission has therefore been constrained to proceed only over ground that has been fully prospected and tried. It is not bound by technical rules, and it does not need to adhere to outworn precedents unfitted to the day, but it has refused to depart from the reliable rules of progress: investigation, information, sanity, success.

"So, if in some instances the work has seemed slow, it is nevertheless being advanced as fast as facilities, funds and circumstances will permit. Accuracy, not guesswork, is required, and it is essential that the findings of the Commission, when made, shall be demonstrably correct—that is, just so nearly correct as fallible human judgment will permit."

It is stated that 226 utility companies have been listed under the jurisdiction of the Commission and considerable progress made in the valuation of several of the larger utilities, this being necessary before rates are fixed. The report brings the narrative of work performed down to December 15, 1913, and valuation investigations stated to be nearing completion are those of the Portland Railway, Light & Power Company, Coos Bay Water Company, St. Johns Water Works & Lighting Company, Rogue River Water Company of Grants Pass, Home Telephone & Telegraph Company of Southern Oregon, and the Salem Water, Light & Power Co. Water plant valuation is under way at Dallas, also valuation of the Pacific Telephone & Telegraph Company's plant at Oregon City, and it is stated that substantial reductions have been secured in light and power rates without necessity for formal proceedings in Dallas, Monmouth, Independence, Junction City, Corvallis, and other towns of the Willamette Valley.

Concerning the business handled by the Commission during the year, the report says:

"Listing the complaints filed shows 352 informal railroad complaints, compared with 361 filed in 1912. The number of formal railroad matters filed was 59, compared with 47 the previous year. In the utilities branch 183 informal complaints and 70 formal matters were docketed. The increase in total number of formal complaints, which in most cases have necessitated hearings, from 47 in 1912 to 129 in 1913, or 274 per cent, indicates in a degree the expansion of the Commission's work."

Disposition of these complaints is reported in detail, and the distinction between formal and informal procedure explained, the former being matters in which hearings are required to thresh out questions of rates or services, the informal being taken up for adjustment on a mere statement of the grievance. Of the informal matters, 251 out of 370 of those relating to railroads were satisfactorily settled, 27 are pending, and 92 were dropped because of lack of jurisdiction. Of the utility matters handled in like manner, 90 out of 153 are reported settled, 10 transferred, 5 pending, and 35 dropped because plaintiffs did not wish to go further.

Discussing the elimination of perilous railroad and highway crossings, the report says:

"While not given jurisdiction over existing highway crossings, the Commission during the last year has given particular attention to dangerous grade crossings, and in an informal way has solicited the co-operation of various county courts and railroad companies, looking to the elimination of grade crossing dangers wherever they may be avoided without excessive hardships or cost.

"Recognizing that every grade crossing constitutes a danger, and believing that the hazard of life can be reduced by intelligent co-operation, attention has been directed to the subject generally, and to specific instances as well. The response has been generally prompt, and some headway has been made in removing unnecessary perils to travel.

"In the elimination of needless dangers the Commission feels that its efforts are well spent. As population increases, railroad mileage is added and new highways established, grade crossing dangers are multiplied, and the Commission favors overhead or underground crossings wherever possible and convenient, without, however, working a hardship on either the public or the transportation lines.

"By successive steps the Commission is seeking to discharge the obligation owed to all governmental bodies toward the protection of hu-

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man life and limb, and to place Oregon in line with the country-wide slogan of 'safety first.'

The report describes the steps taken in three general hearings that involved extended investigation. In one of these proceedings rules and regulations were prescribed for furnishing, loading and unloading cars, and for demurrage and reciprocal demurrage. In another rules were issued to govern overhead and underground construction of all manner of electric wires, to provide safety for workmen and the public. In the third, not yet concluded, the Commission is working out regulations of standards under which public utilities must measure pressure, quality, voltage and other conditions in supplying service to the public.

That the Commission largely decreases the work of the courts by handling matters which otherwise would develop into law suits is one of the points advanced. In the one branch of track scales inspection, the expense of which is borne by the railroads, it is stated there has been a decrease of 65 per cent in claims presented to the railroads growing out of controversies over over weights of shipments.

Orders were made during the year for refunding \$4,423 to shippers because of overcharges or of special circumstances appearing to justify repatriation. Railroads and other carriers have filed 580 passenger and 475 freight schedules with the Commission, and the utilities have added 469 rate schedules during the year.

Other topics covered by the report aside from the statistical portion, are cases that have been appealed to the courts, proceedings before the Interstate Commerce Commission, manner of handling complaints, railroad valuation, improvement of Corvallis & Eastern Railroad between Corvallis and Yaquna, train delay reports, suspension of railroad tariff, accident investigations, scope of work under the utilities act, method of utility valuations, telephone and water cases, accounting department work, and commission merchant's act.

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