

Decision No. 18635.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
THE WESTERN PACIFIC RAILROAD COMPANY
for an order authorizing the abandon-
ment of its agency station at Calneva,
California.

Application No. 6496.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER.

On June 9, 1927, The Western Pacific Railroad Company filed a petition for modification of this Commission's Decision No. 9469, dated September 7, 1921, on the above entitled proceeding. Said petition particularly requests that Condition No. 1 of said Decision No. 9469, reading as follows:

"I - At the time of discontinuance of the agency at Calneva, applicant, Western Pacific Railroad Company, will be required to substitute for the agent heretofore employed at such station, an employee whose duties will comprise those of a caretaker, and to include his attendance at hours when passenger trains scheduled to stop at Calneva arrive; to keep the station in condition for the use of passengers as to cleanliness, light and heat during the hours when trains are scheduled to arrive and depart; to render assistance in the conduct of less than carload freight and express business by caring for shipments, both incoming and outgoing, to the extent that they are placed in the station warehouse and are kept from the weather and opportunity for pilferage. No receipts are to be required for shipments delivered for forwarding or to be exacted for freight delivered to consignees. Tickets are not to be sold by the caretaker; passengers to be required to pay fares to conductors of trains, either through to destination or to the next open ticket office as may be arranged by applicant, Western Pacific Railroad Company. In either case, no excess train fare to be required due to passenger paying fare on train;"

be set aside.

Applicant alleges that Condition II of said Decision

relates only to the notice of discontinuance of the agency station at Calneva and that said condition has been fully complied with.

The petition of applicant sets forth that the continued compliance with said Condition I involves a hardship and expense unwarranted by conditions at said station, which conditions have changed since the date of said Decision No. 9469; that since Decision was issued applicant has discontinued its water station at Calneva; that the pumper acting as caretaker of the station is no longer employed at said station; that the only employee of applicant at or in the vicinity of said station is the section foreman for that vicinity; that to require said foreman to act as caretaker would be to the detriment of his regular duties and it has therefore been necessary to employ the wife of the section foreman to act as caretaker.

Applicant further alleges that the present caretaker is about to move from Calneva and that it will be impossible for applicant to obtain any other employee or member of his family to act in such capacity, and that the business offered at said station does not justify the expense of maintaining a caretaker thereat.

Exhibit "A" attached to the petition shows that the total revenue for L.C.L. freight forwarded and received at this station for the period of six months, from November 1, 1926 to April 30, 1927, amounted to \$54.35, or an average of \$9.05 per month.

An investigation has been made by the Commission's Engineering Department and the Commission is of the opinion that this is not a matter in which a public hearing is necessary and that the petition for modification of order should be

granted, therefore

IT IS HEREBY ORDERED that Condition I of Decision No. 9469, dated September 7, 1921, in the above entitled application is hereby vacated and set aside providing, however, that coincident with the removal of the caretaker at the station of Calneva said station will be continued to be maintained as a non-agency station.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 13th day of July, 1927.

Ernest West

C. J. Seaver

Leon White

Commissioners.