

Decision No. 28291

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
THE ATCHISON, TOPEKA & SANTA FE RAIL-
WAY COMPANY, a corporation, for authority
to discontinue its station at Hesperia,
California, as an agency station and to
operate the same as a blind siding.

) Application No. 14,532.

In the Matter of the Application of
THE AMERICAN RAILWAY EXPRESS COMPANY
for authority to abandon its agency at
Hesperia, San Bernardino County.

) Application No. 14,598.

R. H. Tuttle & E. T. Lucey for
Atchison, Topeka & Santa Fe
Railway Company.

M. L. Stacy for American Railway
Express Company.

BY THE COMMISSION:

O P I N I O N

The Atchison, Topeka and Santa Fe Railway Company,
a corporation, in Application No. 14,532, and The American Rail-
way Express Company, a corporation, in Application No. 14,598,
have requested permission from this Commission to discontinue
the agency at Hesperia, San Bernardino County, and operate the
same as a non-agency station.

A public hearing in these matters was held before
Examiner Cannon on August 31, 1928, at Hesperia, at which time
it was stipulated that the two matters, on account of their
similarity, be consolidated and heard at the same time.

Applicant, Atchison, Topeka and Santa Fe Railway

Company, submitted statements showing revenue derived from Hesperia Station during the year ending December 31, 1927, and for the period January to July, inclusive, 1928. The following data is compiled from such statements:

1927 (12 months)

Passenger ticket revenue,	\$435.72
Revenue freight forwarded,	177.65
Revenue freight received,	<u>1,599.53</u>

Total, \$2,212.90

Expense of maintaining office (salary only),	\$1,689.80
---	------------

1928 (7 months)

Passenger ticket revenue,	\$124.79
Revenue freight forwarded,	9,916.64
Revenue freight received,	<u>6,681.13</u>

Total, \$16,722.56

Expense of maintaining office (salary only),	1,017.37
---	----------

G. E. Harrison, Division Freight and Passenger Agent of applicant company, testified that there was an unusual movement of stock in and out of Hesperia in the spring of 1928 occasioned by draught conditions in Arizona. Some eighty-five carloads of sheep were brought into this station and one-hundred and nine carloads shipped out during that period. This would account for the unusual increase in revenue this year over last. The witness testified that the station agent was not concerned with such shipments, as arrangements are made ahead of time and a traveling freight agent accompanies the shipments. As to shipments of other commodities, the record shows three carloads of hay and two carloads of other products shipped out in 1927, and eleven carloads of petroleum products shipped in. So far this year a total of seven carloads have been shipped in.

John S. Thayer, Secretary of the Appleton Land, Water

and Power Company appeared in protest against the granting of the application, contending that the expense of maintaining a station at Hesperia would not fall entirely upon applicant, but was shared by the Union Pacific Railway Company. However, in the determination of this matter, it should be borne in mind that the entire expense of the station must be balanced against the total revenue. The witness believed that applicant had not exerted itself to acquire new business or to retain such business as it had and that the closing of the station would work a hardship upon the community.

Michael A. Spranger also protested the application. This witness owns a ranch in the neighborhood but does not work it and is not a shipper or receiver of freight or express.

M. L. Stacy, a witness on behalf of American Railway Express Company, in Application No. 14,598, testified that he was traveling auditor for said company and that the total revenue derived from Hesperia Station for the twelve months' period from March, 1927, to and including February, 1928, was \$227.46, and the expense during that period was \$22.76. In the closing of the agency, his company would still be able to serve the locality by handling the business on a non-agency basis.

Roy E. Walters, engaged in the general merchandise business in Hesperia, testified that he received all his groceries by freight and, as to that service, he had no complaint. In his opinion, the express service was unsatisfactory and the witness was forced to resort to truck service for such shipments, running his truck to a point on the highway about five miles distant to pick up goods consigned to him by auto truck.

We have given full consideration to the evidence in this proceeding and are of the opinion and hereby find it a fact that the maintenance of a station at Hesperia is not

justified by the revenue received from such station. The record shows that in 1927, a nominal year, seventy-seven (77) per cent of the revenue was required for station expense. The record further shows that in the event of the granting of these applications, agency facilities will still be available at Victorville, 8.4 miles east, and Summit, 10.7 miles west.

Authorization will accordingly issue for the discontinuance of the station.

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, and The American Railway Express Company, a corporation, having made application for permission to abandon their respective agencies at Hesperia, San Bernardino County, California, a public hearing having been held, the Commission being duly advised, the matter having been submitted and now being ready for decision, therefore,

IT IS HEREBY ORDERED that permission and authority be and the same is hereby granted to The Atchison, Topeka and Santa Fe Railway Company to discontinue its agency station at Hesperia, San Bernardino County, California, and to eliminate said agency name from its station records provided, however, that, coincident with the abandonment of said agency, applicant will continue said station of Hesperia as a non-agency station and its tariffs are amended to so provide.

IT IS HEREBY FURTHER ORDERED that permission and authority be and the same is granted to The American Railway Express Company to discontinue its agency station at Hesperia, San Bernardino County, and eliminate said agency from its

station record provided, however, that, coincident with the abandonment of said agency, applicant will accept and deliver express shipments by its express messenger at the car door on trains stopping at Hesperia.

The authority herein granted shall become effective in ten (10) days from the date hereof.

Dated at San Francisco, California, this 3rd day of October, 1928.

Leon Whidley

C. Deaney

Emmett

Wm. B. Lott

M. L.
Commissioners.