

Decision No. 20566**ORIGINAL**

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 SOUTHERN PACIFIC COMPANY for authority )  
 to close agency at Hardwick Station, ) Application No.14881  
 County of Kings, State of California. )

In the Matter of the Application of the )  
 AMERICAN RAILWAY EXPRESS COMPANY for )  
 authority to abandon its agency at ) Application No.15055  
 Hardwick, County of Kings, State of )  
 California. )

BY THE COMMISSION -

O P I N I O N

In Application No.14881, Southern Pacific Company, a corporation, has petitioned the Railroad Commission for authority to close its agency station at Hardwick on its San Joaquin Division in the County of Kings until such time as said station will have developed sufficient business to justify the maintenance of an agency.

In Application No.15055, American Railway Express Company, a corporation, has petitioned the Railroad Commission for an order authorizing the abandonment of its agency at Hardwick in Kings County and for the elimination of such agency from its records.

In Application No.14881, applicant Southern Pacific Company alleges that the maintenance of the agency at Hardwick is unremunerative, and in applicant's opinion unnecessary and authority is requested for discontinuance of the agency until such time as traffic conditions justify its re-establishment.

From an exhibit filed with the application and data obtained during the Commission's investigation, the following compilation reflects the business transacted at Hardwick Station during the yearly period ending August 31, 1928:

Tickets sold (based on 6 alternate months)		\$ 6.00
Less than carload freight		
	Received	\$ 423.00
	Forwarded	<u>34.00</u>
		<u>457.00</u>
Total - tickets sold and less- than carload freight		\$ 463.00

Carload Freight

	Received	801.00	
	Forwarded	<u>2337.00</u>	<u>3138.00</u>
	Total Revenue		\$3601.00

The total annual expense of maintaining the Agency station, covering agent's salary and supplies, is \$1902.69.

From the above data it appears that the percentage of revenue from ticket sales and less-than-carload freight, the items for which the maintenance of an agency station is most necessary for the public, required for the maintenance of an agency is 410.94 percent, and the percentage of the total revenue required for the maintenance of an agency is 52.84 percent.

The character of carload business handled is not such as would require the service of an agent.

An investigation conducted by the Commission's Engineering Department results in but one patron of the applicant being opposed to the discontinuance of the agency, and in view of the fact that the expense of the continued maintenance of an agency is not justified by the revenue derived therefrom, and that the continued maintenance of the agency places an unwarranted burden on other patrons of the applicant, we are of the opinion, after careful consideration of the exhibits attached to the application and of the results of the Commission's independent investigation that the matter is one in which a public hearing is not necessary and that the application should be granted subject to the terms of the following order.

In Application No. 15055, applicant American Railway Express Company requests authority to discontinue the maintenance of an

agent at Hardwick alleging that the agency, which is conducted as a joint agency with the railroad agency of the Southern Pacific Company, produces insufficient revenue to justify its maintenance as a separate agency, and that in the event of the discontinuance of the Southern Pacific agency there is no person available at Hardwick qualified to, or who desires to, assume the agency duties. A statement attached to the application as an exhibit shows the total revenue for the year ending August 31, 1928, to have been \$601.82.

The Commission's investigation shows no protest against the discontinuance of the express agency in the event that the discontinuance of the railroad agency is authorized.

After full consideration of this application and the result of our own independent investigation, we are of the opinion and hereby find as a fact that the continued maintenance of an express agency at Hardwick is not justified and that such agency should be discontinued.

#### O R D E R

Southern Pacific Company and American Railway Express Company having petitioned the Railroad Commission for authority to discontinue the maintenance of their respective agencies at Hardwick, County of Kings, the Commission being fully advised following its own independent investigation and of the opinion that these matters are such that <sup>do not</sup> require a public hearing, and basing its order on the conclusions and findings of fact as appearing in the opinion which precedes this order,

IT IS HEREBY ORDERED that applicant Southern Pacific Company, a corporation, be and it hereby is authorized to discontinue the maintenance of an agent at its station of Hardwick on its San Joaquin Division in Kings County, and to hereafter operate said station of Hardwick as a non-agency station until the further order of this Commission. The discontinuance of agency hereby

authorized may be made effective after ten (10) days notice will have been given patrons of said applicant by posting notice of said authorized discontinuance of agency at its said station of Hardwick.

IT IS HEREBY FURTHER ORDERED that applicant American Railway Express Company, a corporation, be and the same hereby is authorized to discontinue the maintenance of an agent at its agency at Hardwick, County of Kings, and to hereafter serve its patrons at Hardwick as a non-agency with receipt and delivery of shipments by messenger at the car door. The discontinuance of agency hereby authorized to be effective ten (10) days after notice of discontinuance will have been posted at the station of Hardwick for the advice of its patrons.

Dated at San Francisco, California, this 7th day of December, 1928.

Leon Whittell  
Al Seney  
Thomas C. ...  
John D. ...

COMMISSIONERS.