

Decision No. 29716.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 POLLARD LUMBER COMPANY,
 a corporation, for permission to
 cease operating and to abandon its
 wharf at Westport, State of Califor-
 nia.

Application No. 14831.

ORIGINAL

Heller, Harman, White and McAuliffe, by Paul
 T. Wolf and Brian Gagan, for applicant.

Leonard Stone, for the protestants.

BY THE COMMISSION:

O P I N I O N

This is an application by the Pollard Lumber Company to abandon its wharf now being operated as a public utility at Westport, California.

A public hearing was held before Examiner Satterwhite at Fort Bragg Tuesday September 25, 1928, and the matter having been submitted is now ready for an opinion and order.

Applicant claims its wharf at Westport has been operated at a loss for a number of years and that it does not earn sufficient revenue to pay the expenses and taxes or any return upon the valuation or investment, and that there is no prospect either present or reasonably to be contemplated of the said wharf being able to earn even operating expenses. Statement of receipts and expenditures submitted by applicant shows a net loss in operation during the period from January 1, 1923, to May 31, 1928, of \$18,078.44.

The principal tonnage handled is redwood ties produced in the vicinity of Westport, and there is also a negligible amount of miscellaneous inbound tonnage. Rates being charged for shipment of ties from the wharf are as follows:

6 x 8 x 8, or	32	feet,	per	tie,	3	cents
6 x 8 x 6	"	24	"	"	2	cents
7 x 8 x 8	"	37 1/3	"	"	3 1/2	cents
7 x 10 x 8	"	46 2/3	"	"	4 1/2	cents
7 x 9 x 8	"	42	"	"	3 1/2	cents

At the time application was filed there were stored on the wharf 66,250 ties.

Protestants, owners of ties stored on the wharf or in the woods near Westport, object to abandonment of the wharf at the time specified in the application. They ask that the wharf be continued in operation until the end of the 1929 season in order for sufficient time to find a market and dispose of the ties. They claim the present tie market is very unfavorable and to dispose of them on short notice would cause severe losses. In consideration of the wharf being operated during 1929 they agree to ship their ties and pay a wharfage rate of \$3.00 per 1000 feet.

Estimates of the possible revenue and expenses for operating the wharf during 1929 were submitted at the hearing by both applicants and protestants. Protestants estimate that 62,650 ties will be shipped during the 1929 season, which if charged for at a wharfage rate of \$3.00 per 1000 feet would produce a revenue of \$5,638.50, and this added to the estimated revenue on inbound tonnage of \$400 would make a total estimated revenue of \$6,038.50. Expenses were estimated by applicant as follows: insurance \$200; salary of superintendent \$1,800; labor in maintaining dock \$2,000. The estimates of other expenses were not submitted in sufficiently tangible form to permit a comparison.

The testimony introduced at the hearing showed that the superintendent's time is devoted to the entire Pollard Lumber Company interests at Westport, of which the wharf is but a minor part. In computing the expenses we believe a fair allotment of the superintendent's salary to the operation of the wharf would be \$900, and by confining the wharf repairs to only those necessary to keeping it in service for one more season, the estimate for additional labor might be reduced to some extent. The record indicates that the anchorage system, on account of being newly installed during 1928, will last for another season, and a comparison of the estimated expenses, together with a study of the record as a whole, does not indicate a probability of the wharf being operated at a loss if maintained for another season, provided of course that the shipments are made as promised by protestants.

Upon consideration of all the facts of record we are of the opinion and find that applicant should be authorized to cease the operation and to abandon its wharf at Westport as of August 1, 1929, this date in order to permit the interested parties now having ties stored on the wharf to ship them prior to such abandonment.

O R D E R

This application having been duly heard and submitted, full investigation of the matters and things involved having been had, and basing this order on the findings of fact and the conclusions contained in the opinion, which is hereby referred to and made a part hereof,

IT IS HEREBY ORDERED that the application of the Pollard Lumber Company to cease operation and to abandon its wharf at Westport be and it is hereby granted with the provision that such abandonment shall not be made until August 1, 1929.

IT IS HEREBY FURTHER ORDERED that the applicant file with this Commission within fifteen (15) days from the date of the order its tariff naming the wharfage rates to be charged during the period of operation.

Dated at San Francisco, California, this 25th day of January, 1929.

Thos S. Loutin

C. S. Sweeney

Ernest W. D.

Leon Whitell

M. J. Cur

Commissioners.