

ORIGINAL

Decision No. 94850.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of  
NORTHWESTERN PACIFIC RAILROAD COMPANY  
for authority to close agency at Spyrock,  
County of Mendocino, State of California.

) Application No. 15754.

In the matter of the application of  
the RAILWAY EXPRESS AGENCY for authority  
to abandon its agency at Spyrock, County  
of Mendocino, State of California.

) Application No. 15793.

Roy G. Hillebrand, for applicant, Northwestern  
Pacific Railroad Company.  
R. S. Elliott and E. Stern, for applicant, Rail-  
way Express Agency.  
J. G. Hurst and W. Braddock for protestants.

BY THE COMMISSION:

O P I N I O N

In Application No. 15754, Northwestern Pacific Rail-  
road Company requests authority to close its agency at the Sta-  
tion of Spyrock, Mendocino County, and in Application No. 15793,  
Railway Express Agency requests authority to close its agency  
at said station.

A public hearing in these matters was conducted by  
Examiner Williams at Spyrock on September 12th, 1929, at which  
time these matters were consolidated for hearing.

Spyrock is located on the main line of Northwestern  
Pacific Railroad Company in Eel River Canyon between Willits  
and Eureka. The nearest agencies to Spyrock are Island Mountain,  
14.5 miles north, and Dos Rios, 13.5 miles south.

Applicant, Northwestern Pacific Railroad Company, contends that the amount of business transacted at Spyrock does not warrant the maintenance of an agent. Revenues derived at this station for the twelve months' period ending March 31, 1929, were as follows:

Passenger tickets sold,	\$486.00
Carload freight forwarded and received,	995.12
L.C.L. freight forwarded and received,	575.88
Expense of maintaining agency,	\$1,953.28

The business of Railway Express Agency is handled by the railroad company's agent on a commission basis. The earnings for the twelve months' period ending June 30, 1929, amounted to \$271.99, and the commission paid to the agent amounted to \$27.08, or an average of \$2.25 per month. An unsuccessful endeavor was made by the Express Agency to employ a local resident as express agent, therefore an Express Agency cannot be maintained if the Railroad Agency is withdrawn.

In the event these applications are granted, the Express Company will receive shipments at car door and leave pre-paid express shipments on station platform at receiver's risk.

A number of residents in the vicinity of Spyrock appeared to oppose the granting of these applications, contending that an agent should be maintained at this point to care for L.C.L. freight and receive orders for cars for carload shipments. The carload outbound business is largely live stock. Furthermore, it was contended that the Spyrock area would be deprived of communication with outside points as the railroad agent is also the telegraph agent and postmaster.

As far as the passenger business is concerned, it can readily be handled by the train conductors. With respect to carload business, it appears that this class of shipment can be

handled without a resident agent. An agent's service, however, is most needed for the handling of L.C.L., but we find that the revenue derived from this class of business is small, being less than \$600. per year, and it appears to the Commission that the public service resulting from maintaining an agent at this point does not justify the expense of maintaining the same, which results in an undue burden upon the carrier. The evidence indicates that a public railroad telephone should be established at Spyrock Station whereby shippers of freight could communicate with the nearest agency station and arrange for cars and obtain necessary railroad information.

After due consideration of all the evidence in this proceeding, it appears that the maintenance of an agent at Spyrock is not justifiable and that these applications will be granted.

#### O R D E R

Northwestern Pacific Railroad Company having made application to abandon its agency at Spyrock, Mendocino County, (Application No. 15754), and Railway Express Agency having made like application, (Application No. 15793), a public hearing having been held, the Commission being apprised of the facts, the matter being under submission and ready for decision,

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to Northwestern Pacific Railroad Company, a corporation, to remove and abandon its agency at the Station of Spyrock, County of Mendocino, subject, however, to the following conditions:

(1) Applicant shall maintain the Station of Spyrock as a non-agency station.

(2) Applicant shall establish and maintain a public railroad telephone at said station so that prospective patrons of the railroad may communicate with Dos Rios agency station.

(3) Applicant shall post notice at said Station of Spyrock, notifying the public of the removal of said agent, for at least ten (10) days before said agent is removed.

IT IS HEREBY FURTHER ORDERED that Railway Express Agency, a corporation, be and it hereby is authorized to abandon its agency at Spyrock, County of Mendocino, provided, however, that said applicant's train messengers will receive express matter at car doors and discharge prepaid express matter at said Spyrock Station.

For all other purposes, the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 4th day of October, 1929.

David B. Leland  
W. J. Seaver  
Wm. L. ...  
Leon ...  
W. P. ...  
 Commissioners.