

ORIGINAL

Decision No. 21915.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a corporation, for authority to discontinue its station at Winchester, California, as an agency station and to operate the same as a non-agency station.

Application No. 15736.

M. W. Reed, for Applicant.
Albert Ford, Deputy District Attorney,
Riverside County, Protestant.
E. C. Blackmore, Protestant.
W. R. Greenwood, Protestant.

BY THE COMMISSION:

O P I N I O N

In this application, The Atchison, Topeka and Santa Fe Railway Company requests an order from this Commission granting authority to close its agency at Winchester Station, Riverside County, California.

A public hearing was held before Examiner Satterwhite at Riverside, California, October 1, 1929, at which time the matter was taken under submission.

Winchester Station is located on The Atchison, Topeka and Santa Fe Railway Company's San Jacinto Branch, about ten miles east of Perris and seven miles west of Hemet, both of these stations being agency stations. The district in the vicinity of Winchester is given largely to the growing of grain, fruit and stock-raising.

The passenger business handled at this station appears to be negligible, the records show the total for this

account to be \$15.21 for the first nine months of the year 1929. During this same time, there was revenue of \$783.00 from forwarded freight and \$2,534.00 from freight received at this station. The revenue from L.C.L. shipments, which is included in the above amounts, is not shown separately. By weight, the L.C.L. freight forwarded is 0.44 per cent of total and for freight received the L.C.L. is 6.1 per cent. There were 28 carloads forwarded and 14 carloads received during this period. The records show that the payroll at this station for this nine-months' period was \$1,207.94, or \$135.00 per month. In addition there are some minor items, such as light, water, phone and stationery. This payroll is about 47.4 per cent of the total revenue credited to this station.

Mr. W. R. Greenwood, farmer, residing some ten miles south of Winchester, testified that he makes very little use of passenger service and freight service, as he drives his own car and uses trucks to make roadside delivery of grain to Marietta Station; nevertheless, Mr. Greenwood appeared to oppose the granting of this application.

Mr. Warren Moore of California Incorporated Farms, testified that they had purchased 1100 acres adjacent to the station and had removed the apricot trees and planted in their place figs and persimmons on 150 acres and expects soon to have a total of 1,000 acres planted to orchards. He stated that they have not used either passenger or freight service, as they have trucks and tractors. He opposed the granting of this application on the ground that rail service would be required when the orchards are in full bearing.

Mr. B. C. Blackmore, Postmaster, and connected with Blackmore Brothers, General Merchandise, whose store is located

about 1100 feet from the station, testified that this concern does a gross business of \$45,000.00 a year, with a stock of about \$8,000.00. Their freight charges average about \$30.00 a month. Mail is delivered to the post office located in the store by highway trucks and much of their merchandise is shipped and delivered by trucks. He opposed the granting of the application on the ground that the agent performs a public service in advising consignees by phone of the arrival of shipments.

Mrs. C. E. Rice, a resident and one of the grantors of the station grounds, protested the removal of this agent on the grounds of the clause incorporated in the deed, reading as follows:

"The further consideration of this deed is the building and maintaining of a respectable depot at which all regular passenger trains shall stop."

In this proceeding, however, there is no contemplated plan to abandon or remove the station building and it is planned to continue the operation of this station as a non-agency station.

Mr. V. H. Wilson, trainmaster on the Division including this branch line, testified that on the average there was less than one carload of freight handled at this station per day and in response to inquiry stated that the railway company had not considered the plan of placing a key to the station freight room in the hands of some responsible and conveniently located party to accommodate the L.C.L. shipper as a substitute for station agent service.

The record shows that this district is served by paved highways over which truck and passenger busses are operated daily. In fact, the trucks have taken from the railroad

the greater part of its L.C.L. business.

After carefully considering the record in this proceeding, it appears that the comparatively small number of L.C.L. shippers would not be seriously inconvenienced if the company arranged to store this class of shipment in the warehouse under lock and key and appointed a custodian of the key to be kept in the proximity of the station. The carload shipments and passenger business can be handled without the services of a local agent with little inconvenience to the public.

Therefore, it is the opinion of the Commission that this application should be granted and an order to this effect will be entered accordingly.

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, having made application to this Commission for authority to discontinue its agency at Winchester Station, Riverside County, California, a public hearing having been held, the matter being under submission and ready for decision, therefore,

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company be and it is hereby authorized to discontinue its agency at Winchester, Riverside County, California, under the following conditions and not otherwise:

(1) The station at Winchester shall be operated as a non-agency station.

(2) Less-than-carload shipments shall be stored in the freight house in Winchester, which shall be kept locked

except during times when freight is being stored or taken from said warehouse.

(3) Applicant shall arrange with a responsible party to act as custodian of the key to the freight house, said key to be kept at a convenient location for shippers and receivers of freight, and submit to the Commission, subject to its approval, a plan showing what arrangements have been made.

(4) Notice shall be posted in a conspicuous place on the freight house advising the public where the key may be obtained.

(5) Applicant shall give the public not less than ten (10) days' notice of the closing of this agency by posting a notice in said Winchester Station.

The effective date of this order shall be ten (10) days from the date hereof.

Dated at San Francisco, California, this 16th day of December, 1929.

Thos D. Lovitt

C. L. Seaver

E. J. ...

W. J. ...

Commissioners.