

Decision No. 22536

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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

Application No. 16325.

BY THE COMMISSION:

ORIGINALORDER

Railway Express Agency, Inc., filed the above entitled application with this Commission on February 5th, 1930, asking for authority to abandon its agency at Brighton, County of Sacramento, State of California. Applicant alleges that it had been advised by Southern Pacific Company that the said company would petition the Commission for authority to close its agency at said station of Brighton, which agency was conducted jointly by the applicant and Southern Pacific Company. By letter of March 18th, 1930, applicant advised the Commission that it had been given to understand by Southern Pacific Company that that company no longer contemplated the abandonment of its agency and asked the Commission to withdraw its petition. The Commission subsequently issued its Decision No. 22260, dated March 26th, 1930, dismissing the application.

Southern Pacific Company, on April 30th, 1930, filed an application (No. 16500), asking authority of this Commission to close its agency at Brighton. By letter of May 5th, 1930, Railway Express Agency, Inc., informed the Commission that the request of March 18th, 1930, had been made due to a misunderstanding and asked

that the Commission's decision, dismissing its application, be set aside and that the Commission take such action as seems reasonable, in light of the present conditions, with reference to the authority therein prayed for. It is concluded that this request is reasonable and should be granted.

Applicant alleges that, due to the application of Southern Pacific Company to abandon its agency at the station of Brighton, which agency is conducted under the so-called joint agency plan, whereby the agent of the railway company acts as the agent of the express company, it becomes necessary for it to seek like authority, for the reason that no outside party is available to handle the express agency in case the Southern Pacific Company's application should be granted.

Applicant further alleges that the elimination of its agency will not result in the entire elimination of service for the reason that express shipments moving into or out of Brighton will be handled provided that they are tendered to or received from the express messenger at the car door upon trains stopping at Brighton.

It appears to the Commission that this is not a matter in which a public hearing is necessary and that the application should be granted, therefore,

IT IS HEREBY ORDERED that the Commission's Decision No. 23260, dated March 26th, 1930, be and it is hereby set aside.

IT IS HEREBY FURTHER ORDERED that Railway Express Agency, Inc., be and it is hereby granted authority to abandon its agency at Southern Pacific Company's station of Brighton, County of Sacramento, State of California, and to eliminate said agency name from its records, providing express matter moving

into and out of the station of Brighton is handled when tendered to or received from the express messenger of applicant at the car door upon trains stopping at said station.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 14th day of June, 1930.

P. J. Sawyer

John S. Lott

M. J. Carr

Commissioners.