

Decision No. 22871.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application
of the SOUTHERN PACIFIC COMPANY
for authority to close agency at
Springville, County of Tulare,
State of California.

Application No. 16753.

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

Application No. 16764.

R. G. Prosole, for Applicant, Southern
Pacific Company.
G. S. Reed, for Applicant, Railway Express
Agency, Inc.
A. W. Patton, for Chamber of Commerce of
Springville, Protestant.

BY THE COMMISSION:

O P I N I O N

By these applications Southern Pacific Company and Railway Express Agency, Inc., seek authority to abandon their agencies at Springville, Tulare County. By Decision No. 22896 Southern Pacific Company was authorized by an ex parte order to close this agency but, upon receipt of protests from the Springville Chamber of Commerce and others, the order was revoked and the matter reopened for hearing.

A public hearing was held upon both applications before Examiner Williams at Springville on October 29th at which time the proceedings were consolidated for the purpose of hearing and decision and the matters submitted.

Witnesses for applicants testified to and substantiated the statements attached to the applications as to revenues derived from the agency and expenses and commissions in connection therewith. Witness for applicant, Railway Express Agency, Inc., also presented an exhibit giving the information shown in the application down to the month of September, 1930.

Witnesses for Southern Pacific Company, however, were not prepared to furnish this information since the month of January, 1930, as shown in the application. In order that the delay and expense incident to the continued hearing might be avoided, the presiding examiner directed that a committee of the interested parties and a representative of the Commission secure such information from the agent's records. The committee's report shows the following results for the period January to September, 1930, inclusive (Exhibit No. 1):

<u>Item</u>	
Freight - Carload Forwarded,	\$1,443.75
" - Less Carload Forwarded,	43.15
" - Carload Received,	2,453.53
" - Less Carload Received,	589.69
	<hr/> 4,530.12
Passenger,	75.60
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Total Freight and Passenger,	\$4,605.72
Express,	145.29
Western Union Telegraph,	24.71
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<u>TOTAL STATION REVENUE,</u>	<u>\$4,775.72</u>
Station Agent Wages,	\$1,209.70
Express Commission,	14.51
Western Union Telegraph Commission,	2.35
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<u>TOTAL STATION WAGES AND COMMISSIONS,</u>	<u>\$1,226.56</u>

The protests of the Springville Chamber of Commerce, Mrs. W. R. Neal, the Forest Service of U. S. Department of Agriculture and others were based on the inconvenience of handling both

carload and less than carload freight shipments to and from Springville in the event the agency was discontinued. The record shows that the nearest agency is at Porterville, 16 miles distant, and that Springville, a community of approximately 200 population, is served by rail exclusively by Southern Pacific Company by a mixed train scheduled to leave Porterville at 6:00 A.M. Tuesdays, Thursdays and Saturdays and arrive at Springville at 7:20 A.M. The scheduled leaving time at Springville is 7:45 A.M. on the same days, arriving at Porterville at 10:05 A.M.

Although the train is classed as a mixed train and schedules are shown for the same in the Southern Pacific Company's public passenger train time table, no provision is made for the carrying of passengers except in the caboose. Moreover, the station register shows that the train rarely arrives at Springville on time and in some cases has arrived as much as twelve hours late.

With the abandonment of the station agent as proposed, it would be necessary for shippers or receivers of freight at Springville to conduct business with the railroad through the station agent at Porterville either in person or by telephone or with the conductor of the train. The record shows that the conductor is at Springville for about 15 minutes three times a week, upon the arrival of the train which, as already has been stated, is at uncertain hours during the day.

Protestants also pointed out that in shipping or receiving less than carload freight, it would be necessary to secure the key to the freight house from the superintendent of the hospital, located about one-half mile distant, and then return the key after

disposing of or taking the merchandise at the station. It was also claimed that this practice would permit unauthorized persons to tamper with freight stored at the station. Protestants urged that if the agency be abandoned provision be made for the establishment of a part-time agent in lieu thereof.

After consideration of the record in this proceeding, the Commission is of the opinion that serious inconvenience would result to the public at Springville under the proposed plan of applicants, especially in view of the unreliable time schedules maintained by the carrier. We believe that arrangements should be made whereby a more reliable and satisfactory schedule will be maintained. The present schedule shown in the public time table, even if operated with reasonable reliability, does not provide for passenger or express connections at Porterville either inbound or outbound. The Commission believes, however, that a plan can be worked out by applicants that will be satisfactory to the people of Springville whereby a part-time agent may be established. Before permitting a part-time agent to be installed in lieu of the full time agent now maintained, the Commission desires to be assured that the service will be improved and the schedule adhered to so that passengers may use this service if they desire and that shippers and receivers of express and freight may be benefited. Arrangements for the handling of express by the part-time agent should be made effective.

The Commission will deny the application with the understanding that it will consider a supplemental application outlining a plan for providing a part-time agent at Springville.

O R D E R

A public hearing having been had before Examiner Williams

and the matter having been submitted,

IT IS HEREBY ORDERED that the above entitled proceeding is hereby denied.

Dated at San Francisco, California, this 13th day of November, 1930.

Chas. S. Jones

Thos. J. L. L. L.

M. J. L.

Commissioners.