

Decision No. 23257.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 ALBION LUMBER COMPANY for discontin-)
 uance of wharfinger service as a pub-)
 lic utility at Albion, Mendocino)
 County, California.)

ORIGINAL

Application No. 17014.

BY THE COMMISSION:

OPINION AND ORDER

This is an application filed November 15, 1930, by the Albion Lumber Company for authority to discontinue a public utility wharf at Albion, Mendocino County.

The application sets forth that the wharf was constructed by the Albion Lumber Company, primarily for the transportation of lumber and other forest products from its mills at Albion and for the transfer of shipments between vessels and cars at Albion, that in the year 1927 logging and other lumbering operations were discontinued and that in due time all of the manufactured lumber was disposed of, thus discontinuing all operations by vessels to and from the wharf.

On November 1, 1929, the Northwestern Pacific Railroad Company and Albion Lumber Company jointly submitted Application No. 16059 requesting authority to discontinue operation of a standard gauge railroad owned by the Northwestern Pacific Railroad Company and operated under lease by Albion Lumber Company between Albion and Christine in Mendocino County, a distance of 25.65 miles. A public hearing was held at Albion, California, on

December 10, 1929, at which time no protestants appeared and it developed that the total receipts of the railroad for the twelve months November 1928 to October 1929 were but \$58.48. By decision No. 21949 of December 27, 1929, applicants were permitted to discontinue the operations of the railroad and to cancel all tariffs and time schedules.

The instant record shows that the Albion Wharf has been operated by applicant as a wharfinger as defined in Section 2(a) of the Public Utilities Act under Tariff No. 1, C.R.C. No. 1, effective February 14, 1920, on file with the Commission. Annual Report for the calendar year of 1929 discloses operating revenues of \$1,946.18 and operating expenses of \$3,521.23, of which \$929.35 represents repairs and renewals, leaving a net deficit of \$1,575.05. An estimate for the year ending December 31, 1930, indicates an operating deficit of \$2,260.34. No depreciation of facilities has been included in the operating expenses.

In view of the discontinuance of logging activities, water and rail operations as referred to above, it is positive that no necessity exists for continuance of a wharfinger service as a public utility. Communications were addressed to former users of the wharf and no objection was made to its discontinuance. A public hearing is not necessary and the application should be granted, therefore

IT IS HEREBY ORDERED that the Albion Lumber Company be and it is hereby authorized to discontinue the operations of a wharf as a public wharfinger at Albion, Mendocino County.

IT IS HEREBY FURTHER ORDERED that Wharf Tariff No. 1, C.R.C. No. 1, effective February 14, 1920, filed by the Albion Lumber Company, be and it is hereby authorized to be cancelled

by the filing of a supplement to the tariff.

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

Dated at San Francisco, California, this 7th day of January, 1931.

C. C. Seaman

H. H. Cunn

M. B. Harris

Commissioners.