

Decision No. 24322.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

<p>In the Matter of the Application of THE WESTERN PACIFIC RAILROAD COMPANY for permission to abandon an agency at Franklin station in the County of Sacramento, State of California.</p>

Application No. 17606.

ORIGINAL

Mr. L. N. Bradshaw, for Applicant.

Mr. Geo.H. Platt and Mr. Earl D. Desmond,
for residents of Franklin, Protestants.

BY THE COMMISSION:

O P I N I O N

In this proceeding, The Western Pacific Railroad Company requests permission to abandon its agency at the station of Franklin, County of Sacramento, California.

Public hearings were held in this matter on October 28th and November 13th, 1931, before Examiner Kennedy at Sacramento.

Franklin Station is located in a farming community on the main line of applicant, approximately fourteen miles west (railroad direction) of Sacramento and thirty-one miles east of Stockton. The nearest agencies to Franklin are Sacramento, about fourteen miles east, and Thornton, approximately ten miles west. The agency at Franklin is maintained solely for the purpose of handling freight and passenger business forwarded from and received at that point, as well as billing assignments from adjacent non-agency stations. No express business is handled at this location.

The record shows that no passenger business was transacted at this station for the year ending May 31st, 1931. The following

table shows the amount of freight, both carload and less than carload, handled for the years 1929, 1930 and a portion of 1931, as shown in Exhibit No. 1, revised, and Exhibits Nos. 2 and 3:

	<u>1929</u>	<u>1930</u>	<u>Jan. 1 to Sept. 30, 1931</u>
Carload,	\$5,119.	\$2,990.	\$1,929.
Less than carload,	<u>292.</u>	<u>241.</u>	<u>176.</u>
Total,	\$5,411.	\$3,231.	\$2,105.

The normal expense of maintaining the agency is reflected by the expense for the twelve-months' period ending May 31st, 1931, which amounted to \$2,049. It is the contention of applicant that the small amount of less than carload business transacted does not justify the maintenance of an agent and that the carload business reasonably can be handled without an agent. In the event this application is granted, applicant consented to appoint a custodian of a key to the freight house, so that less than carload shipments could be locked in the freight house.

The granting of this application was protested by residents in the vicinity of Franklin, primarily on the ground that they would have difficulty in ordering cars for carload shipments. The record shows that the territory adjacent to Franklin is almost entirely agricultural and that a considerable amount of grain and straw is shipped in carload lots.

The following table shows the volume of traffic by carloads, of these commodities, as reflected in Exhibit No. 1, revised, and Exhibits Nos. 2 and 3:

	<u>1929</u>	<u>1930</u>	<u>Jan. 1 to Sept. 30, 1931</u>
Grain	24	19	7
Straw	87	-	81

Exhibit No. 1, filed at the hearing, showed that one carload of straw was handled at Franklin but, on the other hand, the testimony of shippers clearly indicated that the volume of straw

shipment was much in excess of this amount. Subsequent to the hearing, applicant filed an amended Exhibit No. 1 and supplied a copy to interested parties, showing that 67 carloads of straw were shipped in 1929 instead of one carload.

It appears that the maintenance of an agent at Franklin is a convenience to the shippers of carload freight but, on the other hand, the revenue derived is not sufficient to justify an agent at that point to care for freight business, including the ordering of cars for shippers. The evidence shows that the ordering of cars can be handled by telephone, through the nearest agencies at Thornton or Sacramento, at applicant's expense. With the closing of the agency, applicant should provide a custodian of a key to the freight house so that less than carload freight may be kept under lock in the freight house.

O R D E R

IT IS HEREBY ORDERED that The Western Pacific Railroad Company is hereby authorized to abandon the agency at its station of Franklin, located on the main line of its Western Division in Sacramento County, and to change its station records and tariffs accordingly; subject, however, to the following conditions:

- (1) Applicant shall continue said station as a non-agency station.
- (2) Upon the removal of said agency, applicant shall appoint a custodian of a key to the freight house at said station and less than carload shipments shall be placed in said freight house under lock.
- (3) Applicant shall give not less than ten (10) days' notice to the public of said agency abandonment by posting notice at said station.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the abandonment of the facilities authorized herein and of its compliance with the conditions hereof.

(5) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof unless further time is granted by subsequent order.

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

Dated at San Francisco, California, this 21st day of December, 1931.

C. L. Sweeney

Leon Whitely

M. J. Cunniff

M. B. Lewis

Fred G. Stewart

Commissioners.