

Decision No. 24583.

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of (a) Southern Pacific Company for authority to close its agency at Berenda Station, County of Madera, State of California, and (b) Railway Express Agency, Inc., for authority to abandon its agency at said station.

Application No. 17939.

**ORIGINAL**

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, joined by Railway Express Agency, Inc., on February 2, 1932, applied for authority to abandon their agencies which are maintained jointly at Berenda Station in Madera County, State of California.

Accompanying the application is a comparative statement, showing the amount of business transacted by the Southern Pacific Company at said station during the two-year period ending September 30, 1931, as follows:

<u>Items</u>	<u>Year Ending Sept. 30, 1930</u>	<u>Year Ending Sept. 30, 1931</u>
Passenger tickets sold,	36	20
Number of less-than-carload shipments received,	472	345
Number of less-than-carload shipments forwarded,	24	32
Number of carload shipments received,	33	40
Number of carload shipments forwarded,	144	64

Railway Express Agency, Inc., revenue during the twelve

months ending December 31, 1931, on all express shipments forwarded and received at Berenda amounted to \$171.75. In the past Southern Pacific Company's agent has acted as express agent at this point on a commission basis. The Express Agency, Inc., alleges that no outside party is available to handle the agency in case Southern Pacific Company should be permitted to withdraw its agent, in view of the small amount of remuneration.

It is alleged in the application that the nearest agency to the south of Berenda is Madera, located a distance of 7.4 miles, and Chowchilla to the north 8.3 miles; that the abandonment of said agency will not involve the abandonment of any facilities; that the station will be continued as a non-agency station and that, in applicant's opinion, the continued maintenance of the agency is not necessary for the business of applicant or for the public.

The California Farm Bureau Federation, Madera County Chamber of Commerce, Western Cattle Marketing Association and California Cattlemen's Association have each signified, in writing, that they do not object to the granting of this application.

A member of the Transportation Division of the Commission's Engineering Department has made a full investigation of the matter and his report shows that other interested shippers and receivers of freight and express business at Berenda have indicated that they will not oppose the granting of this application.

Applicant, Southern Pacific Company, has indicated that it plans to take care of the less-than-carload shipments by storing them in warehouse under lock and key and appointing a custodian for the key.

It appears that a public hearing is not necessary herein

and that the application should be granted, therefore,

IT IS HEREBY ORDERED that Southern Pacific Company is hereby authorized to abandon its agency station at Berenda, located on the main line of its Western Division, in Madera County, and to change its station records and tariffs accordingly, providing that said station be continued as a non-agency station.

IT IS HEREBY FURTHER ORDERED that applicant, Railway Express Agency, Inc., be and it is hereby authorized to close its agency at Berenda, Madera County, and to change its agency records and tariffs accordingly.

The authority herein granted is subject to the following conditions:

- (1) Applicants shall each notify the public of the abandonment of said agencies by posting notice for at least ten (10) days in advance of the effective time of such change in a conspicuous place at said station of Berenda.
- (2) Southern Pacific Company shall store less-than-carload freight shipments under lock and key in its warehouse, the key thereto to be obtained from a custodian located at or near said station. A suitable notice to this effect shall be maintained in the station.
- (3) Applicants shall, within thirty (30) days thereafter, notify this Commission, in writing, of the abandonment herein authorized and of its compliance with the conditions thereof.
- (4) 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 14<sup>th</sup> day of March, 1932.

C. C. Seaver  
Leon Whitney  
W. A. Carr  
W. B. Lamm  
Fred G. Stewart  
 Commissioners.