

Decision No. 24731.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of SOUTHERN PACIFIC COMPANY for
authority to close the seasonal
agency at Dutch Flat Station,
County of Placer, State of Cali-
fornia.

ORIGINAL

Application No. 17899.

Roy G. Hillebrand, for Southern Pacific Company.
E. B. Quinn, for Protestants.

BY THE COMMISSION:

O P I N I O N

Southern Pacific Company, a corporation, on January 11, 1932, petitioned the Commission for authority to close its seasonal agency at Dutch Flat, Placer County, which is now maintained during the period May 1st to October 31st, inclusive, each year; also, seeking permission to discontinue the practice of heating and lighting said station building between the hours of 7:00 A.M. and 6:00 P.M. during the period of the year when the agency has been closed, from November 1st to April 30th.

A public hearing was conducted by Examiner Johnson at Dutch Flat on April 14, 1932, at which time evidence was taken and the matter submitted.

Dutch Flat is located on the main line of Southern Pacific Company's Sacramento Division. The nearest existing agency stations to Dutch Flat are Towle, 2.7 miles to the east, and Gold Run, 1.9 miles to the West. The population is estimated to be approximately 144 permanent residents. The principal

business conducted in this district consists of the cultivation of small orchards of deciduous fruits, summer resorts and a trading center for the surrounding country.

Southern Pacific Company presented an exhibit showing a comparative statement of business handled at this station during the six months' periods ending October 31, 1930, and October 31, 1931. This exhibit is, in part, as follows:

<u>Items</u>	<u>Revenue</u>	
	<u>May 1st to October 31st.</u>	
	<u>1930</u>	<u>1931</u>
Passenger tickets,	\$146.	\$134.
Milk and cream,	8.	51.
Less-than-carload freight received and forwarded,	581.	585.
Carloads received and for- warded,	339.	334.
Total Revenue,	<u>\$1,074.</u>	<u>\$1,104.</u>

At the hearing applicant alleged that during the six months' period November 1, 1931, to April 30, 1932, said station being maintained as a non-agency station, there were 76 conductor passenger tickets sold and 396 less-than-carload shipments received and 26 forwarded. Applicant proposes to arrange to store its less-than-carload shipments in the warehouse under lock and key and appoint a custodian of the key.

The record shows that the total railroad station expense to Southern Pacific Company during the six months' period when the agency is maintained amounted to \$898., or an average of \$150. per month, the principal item being the agent's salary.

A number of witnesses appeared as protestants to the granting of this application. It was contended that the removal of the agent would result in an inconvenience to the shippers in that they would be deprived of the service of receiving notice of the arrival of less-than-carload shipments and that it would be an inconvenience for the shippers to be required to secure a

key from a custodian. It was also pointed out that if this agency was discontinued passengers from this point would be required to pay a slightly higher fare than that now in effect.

The record in this case is similar to that in many abandonment cases before the Commission in recent years and is without doubt the result of the increased use of the private automobile and commercial truck operation on the highway in competition with the rail line. The record shows that during the six months' period ending October 31, 1931, the total revenue received from less-than-carload shipments and agency passenger business is materially less than the station expense without any allowance for cost of transportation and other expenses incident to performing the service.

After carefully considering the evidence in this proceeding, the Commission believes that the amount of business offered to Southern Pacific Company during the six months' period when the agency has been maintained, May 1st to October 31st, inclusive, does not justify the expense of maintaining an agent at this point and that, therefore, this application should be granted, provided the Company works out some arrangement whereby the passengers boarding the train at this point will not be required to pay a higher fare as a result of this change.

ORDER

A public hearing having been held in the above entitled proceeding, the matter having been duly submitted and the Commission being now fully advised, and basing its order on the findings of fact as appearing in the Opinion which precedes this Order,

IT IS HEREBY ORDERED that applicant, Southern Pacific

Company, a corporation, is hereby authorized to discontinue its seasonal agency at Dutch Flat during the six months' period May 1st to October 31st of each year and to change its station records and tariffs accordingly, providing that said station be continued as a non-agency station, subject to the following conditions:

- (1) The abandonment of this agency shall not result in an increase in the fare for passengers boarding trains at this point.
- (2) Applicant shall notify the public of the abandonment of said seasonal agency by posting notice for at least ten (10) days in a conspicuous place at said station of Dutch Flat.
- (3) Applicant shall continue said station as a non-agency station.
- (4) Less-than-carload freight shipments shall be stored under lock and key in the Company's warehouse, the key thereto to be obtained from a custodian located at or near said station, a notice to be maintained at the warehouse advising the shippers where the key can be secured.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the abandonment herein authorized and of its compliance with the conditions hereof.
- (6) 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.

IT IS HEREBY FURTHER ORDERED that applicant is authorized to discontinue the practice of heating and lighting the waiting room at this station between the hours of 7:00 A.M. to 6:00 P.M. during the six months' period beginning November 1st of each year and ending April 30th of the following year.

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

Dated at San Francisco, California, this 2nd day of

~~May~~ May, 1932.

W. C. Seavey

W. A. Cunn

W. B. Harris

Frederic G. Stewart