

Decision No. 24784.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
 (a) Southern Pacific Company for
 authority to establish a part time
 agent at Los Molinos and Vina, in the
 County of Tehama, State of California,
 in lieu of the present agency at each
 of said Stations, and (b) Railway
 Express Agency, Inc. for authority to
 establish part time agents at each of
 said Stations.

ORIGINAL

Application No. 17973.

Roy G. Hillebrand for Applicant, Southern
 Pacific Company.
 C. C. Graves for Applicant, Railway
 Express Agency, Inc.
 Edwin A. McDaniel (Los Molinos) for
 Protestants.

BY THE COMMISSION:

O P I N I O N

Southern Pacific Company, a corporation, joined by
 Railway Express Agency, Inc., a corporation, on February 17, 1932,
 petitioned the Railroad Commission for authority to establish a
 part-time agency in lieu of the present full-time agency at both
 Los Molinos and Vina, located on Southern Pacific Company's main
 line, Sacramento Division, in the County of Tehama, State of
 California.

A public hearing was held before Examiner Johnson at
 Tehama on May 10, 1932, and the matter is now under submission.

Los Molinos and Vina are located between the agency
 stations of Tehama on the north and Chico on the south, a distance
 of 27.5 miles, Los Molinos being 2 miles south of Tehama and Vina
 18.8 miles north of Chico.

Applicant, Southern Pacific Company, alleges under present

conditions the revenue derived at said stations does not warrant the continuance and maintenance of a full-time agent at each of said stations and that the business can be adequately handled by the maintenance of an agency at Los Molinos during the approximate hours of 8:00 A.M. to 11:00 A.M. and 3:30 P.M. to 5:00 P.M. and at Vina during the approximate hours of 11:15 A.M. to 12 Noon and 1:00 P.M. to 3:15 P.M.

During the time the agent is absent from each of these stations during business hours, Southern Pacific Company plans to store less-than-carload shipments in the warehouse and provide a telephone, to be located outside of depot, for patrons to communicate with agent for the purpose of ordering cars, obtaining information or any other railroad business; key to be obtained from custodian at or near depot.

Southern Pacific Company filed a statement (Exhibits 1 and 2) showing revenue received from Los Molinos and Vina Stations, respectively, during the two-year period ending March 31, 1932, to-wit:

	Los Molinos		Vina	
	Year Ending Mar. 31, 1932	Year Ending Mar. 31, 1931	Year Ending Mar. 31, 1932	Year Ending Mar. 31, 1931
<u>Passengers and Revenues:</u>				
Agents' Report (Passengers),	276	214	152	158
Agency Report (Revenue),	\$872.		\$999.	\$403.
Milk and Cream (Cans),	38	37	-	4
Milk and Cream (Revenue),	\$13.		\$24.	
				\$1.
<u>Freight Forwarded and Received:</u>				
Less-than-carload (Tons),	129	284	51	191
Less-than-carload (Revenue),	\$1,565.		\$3,404.	\$1,126.
				\$1,928.
Total Ticket Sales, Milk & Cream & Less-than-carload (Revenue),	\$2,450.	\$4,427.	\$1,529.	\$2,512.
Carloads Received & Forwarded,	79	189	171	223
Carloads Received & Forwarded (Revenue),	\$10,293.	\$24,860.	\$19,353.	\$22,134.
GRAND TOTAL (Revenue),	\$12,743.	\$29,287.	\$20,882.	\$24,646.

This tabulation shows that the business done during the twelve months' period ending March 31, 1932, as compared to that of the twelve months' period ending March 31, 1931, reflects a loss in revenue of \$16,544. at Los Molinos, or a decrease of approximately 56 per cent, while at Vina the loss was \$3,764., or a decrease of 15 per cent.

The total direct station expense for the year ending March 31, 1932, amounted to \$1,725. at Los Molinos Station and \$1,985. at Vina.

Southern Pacific Company introduced evidence to show that the station expense is only a small part of the total expense in handling shipments. Exhibits Nos. 1 and 2 show that during 1931, on the Southern Pacific Company's line, station expense amounted to but 7.55 per cent of the total expense of operation.

Railway Express Agency, Inc., proposes to maintain an agent at Los Molinos during the approximate hours of 8:00 A.M. to 12 Noon and from 1:00 P.M. to 5:00 P.M. and at Vina from 11:15 A.M. to 12 Noon and 1:00 P.M. to 3:15 P.M. The express revenue derived during the year 1931 on all shipments forwarded and received at Los Molinos amounted to \$2,413.17 and at Vina \$634.57.

The granting of the application was protested by the Los Molinos Land Company and Coneland Water Company, as well as other interested local parties, on the grounds that inconvenience and possible loss of property would result through the establishment of part-time agencies. It is their contention that the business slump and present adverse conditions are temporary and due to drought of past two seasons.

In analyzing the testimony opposing the granting of the application, it appears to be restricted largely to an alleged

inconvenience in not having a continuous telegraph agent during the daytime, together with the contention that these communities had enjoyed full daytime agency service in the past and curtailment would be a step backward from a civic standpoint. These protestants could not point to any direct substantial loss or inconvenience, as in each case the need of continuous agency service was comparatively small.

After due consideration of all the facts presented herein, it is concluded that the establishing of the proposed part-time agencies in lieu of the present full daytime agency at each of said stations appears reasonable.

O R D E R

Public hearing having been held and the matter herein being under submission and ready for decision,

IT IS HEREBY ORDERED that Southern Pacific Company be and it is hereby authorized to establish a part-time agency at Los Molinos and Vina, in Tehama County, California, the approximate hours the agencies are to be opened being as follows:

Los Molinos 8:00 A.M. to 11:00 A.M. and
3:30 P.M. to 5:00 P.M.

Vina 11:15 A.M. to 12:00 Noon and
1:00 P.M. to 3:15 P.M.

IT IS HEREBY FURTHER ORDERED that Railway Express Agency, Inc., be and it is hereby authorized to establish part-time agencies at Los Molinos and Vina, maintaining office hours approximately on the following schedule:

Los Molinos 8:00 A.M. to 12:00 Noon and
1:00 P.M. to 5:00 P.M.

Vina 11:15 A.M. to 12:00 Noon and
1:00 P.M. to 3:15 P.M.

IT IS HEREBY FURTHER ORDERED that the authorization herein

granted is subject to the following conditions:

- (1) The part-time operation of these agencies shall not result in an increase in fare for Southern Pacific Company's passengers boarding train at these points during absence of an agent.
- (2) During absence of agent, less-than-carload freight shipments shall be stored under lock and key in company's warehouse and railroad telephone, located at these stations, shall be made available to patrons; the keys to both warehouse and telephone shall be obtainable from a custodian located at or near said stations, notice of which shall be maintained at both warehouse and telephone box advising shippers where key can be secured.
- (3) Applicants shall give the public at least ten (10) days' notice in advance of change and shall maintain a sign at each station showing the approximate hours the agent is on duty, said notices to be posted in a conspicuous place at each station.
- (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 effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 23rd day of
May, 1932.

C. S. Leavitt
Leon Sullivan
W. A. Lee
W. B. Lewis
Fred G. Stewart
 Commissioners.