

Decision No. 24799.

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 Aptos
 Station, County of Santa Cruz, State of
 California, during the period November
 15th to May 15th, inclusive, of each year,
 and (b) Railway Express Agency, Inc., for
 authority to close its agency at said
 Station during the said period November
 15th to May 15th, inclusive, of each year.

ORIGINAL

Application No. 18083.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, joined by the Railway Express Agency, Inc., a corporation, on April 7, 1932, applied for authority to close their joint agency at Aptos Station, in Santa Cruz County, State of California, during a six months period beginning November 15th of each year and ending the following 15th day of May.

Accompanying the application is a comparative statement showing the amount of business transacted by the Southern Pacific Company at said station during the two years' period ending December 31, 1931, as follows:

<u>Items</u>	<u>Year 1930</u>	<u>Year 1931</u>
Passenger Tickets Sold,	392	419
Number of Less-than-carload shipments Received,	811	491
Number of Less-than-carload shipments Forwarded,	123	141
Number of Carload Shipments Received,	139	67
Number of Carload Shipments Forwarded,	189	119

Railway Express Agency, Inc., revenue during the year 1931 for all express shipments forwarded and received at Aptos amounted to \$5,126.76. In the past Southern Pacific Company's agent has acted as express agent at this point on a commission basis. Railway 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 during the period the station is proposed to be closed.

A study of the record shows that nearly 70 per cent of the railroad revenue and 87 per cent of the express revenue over a year's period is revenue received during the six months' period from May 16th to November 14th, inclusive.

It is alleged in the application that the nearest agency to the west of Aptos is Capitola, located a distance of 3.1 miles, and Watsonville to the east, 10.6 miles; that the seasonal 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 applicants' opinion the continued maintenance of the agency is not necessary for the business of applicants or for the public.

California Farm Bureau Federation, on April 12, 1932, signified in writing that it does not object to the granting of this application.

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

Southern Pacific Company has indicated that if the application is granted, it plans to take care of the less-than-carload shipments by storing them in the warehouse under lock and key, and that the company's telephone, located outside of the depot, is to be made available to patrons to communicate with the agent at Watsonville for the purpose of ordering cars, obtaining information or for any other railroad business.

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 and Railway Express Agency, Inc., respectively, are hereby authorized to close their agencies at Aptos, located on Southern Pacific Company's Santa Cruz Branch of its Coast Division, in Santa Cruz County, California, from approximately November 15th of each year to approximately May 15th of the following year, and to change their respective records and tariffs accordingly, subject to the following conditions:

- (1) The seasonal abandonment of this agency shall not result in an increase in fare for Southern Pacific Company passengers boarding train at this point.
- (2) Southern Pacific Company shall operate said station of Aptos as a non-agency station during the time the agency is not maintained.
- (3) Southern Pacific Company shall store less-than-carload shipments under lock and key in the company's warehouse and the railroad telephone located at this station shall be available to patrons. The keys to both warehouse and telephone shall be obtainable from a custodian located near said station, notice of which shall be maintained at both warehouse and telephone advising shippers where keys can be secured.
- (4) Upon the seasonal closing Railway Express Agency shall continue to handle express shipments moving into or out of said point, provided they are tendered to or received by express messenger at car door on trains stopping at said point.

- (5) Applicants shall each year notify the public ten (10) days in advance of the closing of said agency by posting a notice in a conspicuous location at said station, and also so advise this Commission.
- (6) Applicants shall each year, within ten (10) days after the date of closing said agency, notify the Commission, in writing, that said agency has been closed.
- (7) Applicants shall within thirty (30) days thereafter notify this Commission, in writing, of the abandonment herein authorized and of their compliance with the conditions hereof.
- (8) 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 23rd day of May, 1932.

Chas. H. Lewis
Leon Whitney
M. H. Lee
M. B. Lee
Fred G. Stewart
 Commissioners.