

Decision No. 18057.

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 Emigrant Gap Station, County of Placer, State of California, and (b) Railway Express Agency, Inc., for authority to abandon its agency at said station.

ORIGINAL

Application No. 18057.

BY THE COMMISSION:

ORDER

This is a joint application filed by Southern Pacific Company, a corporation, and Railway Express Agency, Inc., seeking authority to close their joint seasonal agency station at Emigrant Gap in Placer County, which is now maintained during the six months' period May 1st to October 31st, inclusive, of each year.

Accompanying the application is a comparative statement showing the amount of business transacted by the Southern Pacific Company at said station during the six months' period ending October 31, 1930, and October 31, 1931, as follows:

<u>Items</u>	<u>Southern Pacific Company</u>	
	<u>May 1st to Oct. 31, 1930</u>	<u>May 1st to Oct. 31, 1931</u>
Passenger tickets sold,	115	62
Number of less-than-carload shipments received,	724	943
Number of less-than-carload shipments forwarded,	98	83
Number of carload shipments received,	163	169*
Number of carload shipments forwarded,	-	1

*160 carloads of the 169 were construction material consigned to California Highway Department and Pacific Gas and Electric Company.

The revenue of the Railway Express Agency, Inc., during the six months ending October 31, 1931, for all express shipments forwarded and received at Emigrant Gap amounted to \$493.89. 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.

It is alleged in the application that the nearest agency to the west of Emigrant Gap is Towle, located a distance of 13.9 miles, and Truckee to the east 37 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 applicant's opinion, the continued maintenance of the agency is not necessary for the business of applicant 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 this matter and his report, based on an interview with interested shippers and receivers of freight, indicates there is no serious objection to the granting of this application.

Southern Pacific Company has indicated that if the application is granted it plans to take care of less-than-carload shipments by storing them in the warehouse under lock and key and that the Company telephone, located outside of the depot, is to be made available to patrons to communicate with the agent at Truckee 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 joint agency at Emigrant Gap, located on the Southern Pacific Company's main line on its Sacramento Division in Placer County, California, and to change their respective records and tariffs accordingly; subject to the following conditions:

- (1) Said agency is to be continued as a non-agency station.
- (2) The seasonal abandonment of this agency shall not result in an increase in fare for Southern Pacific Company passengers boarding train at this point.
- (3) Southern Pacific Company shall store less-than-carload shipments under lock and key in the Company warehouse and the railroad telephone located at this station shall be made available to patrons. The key to both the 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 key can be secured.
- (4) Railway Express Agency shall continue to handle express shipments moving into or out of said point, provided they are tendered to or received by an express messenger at car door of trains stopping at said point.
- (5) Applicants shall give the public at least ten (10) days' notice prior to the abandonment of said agency by posting notice in a conspicuous place at said station.
- (6) 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.
- (7) 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 13th
day of June, 1932.

C. Kearney
Leon Whidney
W. J. Cox
W. B. Harris
Fred G. Alexander
Commissioners.