

Decision No. 25265.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
The Atchison, Topeka and Santa Fe  
Railway Company, a corporation  
(hereinafter called The Atchison  
Company) and Railway Express Agency,  
Incorporated, a corporation (here-  
inafter called The Express Agency)  
for authority to close the station  
at Newberry, California, and to  
maintain thereat a part-time employee  
to act as caretaker and to perform  
certain duties.

**ORIGINAL**

Application No. 18360.

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, and Railway Express Agency, Incorporated, on August 20, 1932, filed a joint application to abandon their respective agencies at Newberry, San Bernardino County, with the understanding that there will be maintained thereat a part-time employee who will act as caretaker and who will perform some of the duties of an agent. Accompanying the application is a statement showing the amount of business transacted by The Atchison, Topeka and Santa Fe Railway Company at said station during the year ending May 31, 1932. This is shown in the following tabulation:

<u>Items</u>	<u>Number</u>	<u>Revenue</u>
Passenger tickets sold,	17	\$44.42
Less-than-carload shipments received,	74	189.82
Less-than-carload shipments forwarded,	4	8.45
Carload shipments received,	-	-
Carload shipments forwarded,	28	1,160.05

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Railway Express Agency, Incorporated, reports revenue from express shipments of \$228.49 during the year ending July 31,

1932.

The nearest existing agency stations are located at Daggett (12.0 miles west) and Ludlow (32.2 miles east).

The California Farm Bureau Federation on September 2, 1932, stated, in writing, that it does not object to the granting of this application. The principal shippers have been interviewed by a member of the Commission's Engineering Department and his report shows they do not object to having the station closed and substituting a part-time employee.

It appearing that a public hearing is not necessary herein and that the application should be granted,

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company and Railway Express Agency, Incorporated, are hereby authorized to close their joint agency at the station of Newberry, San Bernardino County, subject, however, to the following conditions:

- (1) Said agency is to be continued as a non-agency station.
- (2) Applicants shall maintain at said station a part-time employee who will act as caretaker and sign bills of lading, receive and deliver freight, and, when deemed desirable, make collections for incoming freight and accept prepayment for outgoing freight.
- (3) The Atchison, Topeka and Santa Fe Railway Company shall provide for storage of less-than-carload freight shipments under lock in the railroad company's warehouse. The key to said warehouse shall be in the custody of the caretaker, or other duly appointed custodian, and shall be made available to patrons whenever occasion demands. A notice shall be maintained in a conspicuous place at the warehouse advising shippers where key may be secured.
- (4) Railway Express Agency, Incorporated, shall continue to handle express shipments moving into or out of said station, provided they are tendered to or received from an express messenger at car door of trains stopping at said station.
- (5) Applicants shall give the public at least ten (10) days' notice prior to the closing of the agency by posting a notice in a conspicuous place at said station.

- (6) Applicants shall, within thirty (30) days thereafter, notify this Commission, in writing, of the closing of the agency authorized herein and of the 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 Commission reserves the right to make such further orders in this matter as to it may seem right and proper and to revoke its permission if, in its judgment, public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 17<sup>th</sup> day of October, 1932.

C. C. Deane  
Leon Whitney  
W. A. Lee  
W. B. Linn  
Fred G. Stewart  
Commissioners.