

Decision No. 25358.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
(a) SOUTHERN PACIFIC COMPANY for an  
order authorizing it to close the  
agency at Bethany Station, County of  
San Joaquin, State of California, and  
(b) RAILWAY EXPRESS AGENCY, INC. for  
an order authorizing it to abandon its  
agency at said Station.

ORIGINAL

Application No. 18453.

BY THE COMMISSION:

O R D E R

Southern Pacific Company and Railway Express Agency, Inc. filed the above entitled application on October 5, 1932, requesting authority to discontinue their respective agencies at Bethany, San Joaquin County.

It appears that on October 5, 1931, Southern Pacific Company filed Application No. 17705, requesting authority to close its agency at this station and that on October 9, 1931, Railway Express Agency, Inc. filed Application No. 17711 to also close its agency. Public hearings were held on these applications and on March 14, 1932, the Commission entered its Decision No. 24569 denying the applications, this decision containing the following statement:

"The company should wait another year for farmers of this territory to make good. Then if the shipments during 1932 and the patronage of the public during a good year do not warrant keeping the station open, the Railroad may renew this application. It is incumbent upon the farmers, however, to give their patronage if they wish the convenience of an agency station to be maintained subsequent to the present season."

The Commission has caused an investigation to be made of the business handled at this station subsequent to denial of the prior applications and it is reported that there has been no increase in the total revenue received at this station and that there has been a material falling off in the class of business which ordinarily requires the services of an agent. During the six months following the date of the decision referred to the gross revenue received from less-than-carload shipments, passenger tickets and milk and cream shipments was but \$63.00.

The California Farm Bureau Federation, through its Law and Utilities Department, has stated in writing that it has no objection to the granting of the present application, and after giving consideration to this matter the Commission is of the opinion that this is not a matter in which a public hearing is necessary; that the farmers in the territory effected have been given ample opportunity to support the carrier as suggested in the Commission's decision in the prior applications, and that this application should be granted, therefore

IT IS HEREBY ORDERED that Southern Pacific Company and Railway Express Agency, Inc. are hereby authorized to discontinue their respective agencies at Bethany, San Joaquin County, and to change their station records and tariffs accordingly, subject to the following conditions:

- (1) Both applicants shall continue to maintain said station as a non-agency station.
- (2) The abandonment of said agency shall not result in an increase in fares or rates for passengers boarding trains at this station..
- (3) Applicant shall notify the public of the abandonment of said agency by posting notices in a conspicuous place in said station at least ten (10) days prior to the abandonment.

- (4) Inbound less-than-carload shipments shall be stored under lock in the Railroad Company's warehouse and facilities shall be provided whereby outbound less-than-carload shipments may also be stored in the Company's warehouse. The key to this warehouse shall be obtainable from a custodian at or near said station and notice advising shippers where the key can be secured shall be maintained at the warehouse.
- (5) Applicant, Southern Pacific Company, shall provide a telephone whereby patrons can communicate, without cost, to an agent of the Company.
- (6) Railway Express Agency, Inc. shall continue to handle express shipments moving into or out of Bethany, provided they are tendered to or received from express messenger at car door of trains stopping at said station.
- (7) Applicants shall, within thirty (30) days thereafter, notify the 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 14<sup>th</sup> day of November, 1932.

C. L. Sawyer  
Leon Whitely  
W. J. Lane  
W. B. Harris  
Fred G. Stewart  
Commissioners.