

Decision No. 25495.

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 discontinue
the seasonal agency and caretaker at
Delhi Station, County of Merced, State
of California, and (b) RAILWAY EXPRESS
AGENCY, INC. for an order authorizing
it to abandon its agency at said
Station.

ORIGINAL

Application No. 18483.

BY THE COMMISSION:

O R D E R

In this proceeding Southern Pacific Company and Railway Express Agency, Inc. petitioned the Railroad Commission to reduce the period during which they maintain a seasonal agency at Delhi, Merced County, California. An agency is now maintained at this station for a 5-month period, beginning July 1st and ending November 30th, inclusive of each year, and applicants desire to discontinue this seasonal agency during the months of October and November. Southern Pacific Company also seeks permission to discontinue the practice of maintaining a caretaker during the period of the year when the agency is closed.

The nearest existing agencies to Delhi Station are Livingston, located a distance of 4.5 miles south, and Turlock, located a distance of 5.7 miles north.

A study of the Company's station records shows that \$36.81 passenger business was transacted at said station during the five months' operation, October and November, 1931, and July,

August and September, 1932; that \$282.91 less-than-carload and \$4,979.47 carload business was transacted in the same period. The station expense for this period amounted to \$656.04, or twice the amount of revenue derived from the sale of passenger tickets and less-than-carload shipments. The carload business consisted of:

<u>Forwarded</u>		<u>Received</u>	
Cannery Peaches	- 45 cars	Road Oil	- 9 cars
Dried Fruit	- 4 cars	Fuel Oil	- 4 cars
Green Fruit	- 1 car	Empty Boxes	23 cars
Empty Boxes	- 2 cars	Lumber	- 2 cars
		Coal	- 1 car
		Misc.	- 1 car

84 per cent of the carload business was transacted during the months of July and August.

The Railway Express Agency, Inc. reports that the five months' seasonal operation, September, October and November, 1931, and July and August, 1932, for all express shipments forwarded and received at Delhi amounted to \$207.51. In the past Southern Pacific Company's agent acted as express agent at this point on a commission basis. Railway Express Agency, Inc. alleges, in view of the small amount of remuneration, that no outside party is available to handle the agency in case Southern Pacific Company should be permitted to withdraw its agent. The abandonment of said agencies will not involve the abandonment of any facilities. The station will be continued as a non-agency station and in applicants' opinion the continued maintenance of the agency is not necessary for the business of applicants or for the public.

The California Farm Bureau Federation has signified in writing that it does not object to the granting of this application.

A representative of the Commission's Engineering Department 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, from the standpoint of railroad service, 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 that the company's telephone, located outside of the depot, is to be made available to patrons to communicate with adjacent agencies for the purpose of ordering cars or any other railroad business.

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

IT IS HEREBY ORDERED that Southern Pacific Company and Railway Express Agency, Inc., respectively, are hereby authorized to abandon their agency at Delhi, Merced County, California, during the period from approximately October 1st of each year to June 30th of the following year and to change their station records and tariffs accordingly, provided that said station be continued as an agency station during the period from approximately July 1st to September 30th of each year, and as a non-agency station during the remainder of each year.

IT IS HEREBY FURTHER ORDERED that Southern Pacific Company is hereby authorized to discontinue the practice of maintaining a caretaker during the period that no agency is maintained at said station. This authority is granted subject to the following conditions:

- (1) Applicants shall, each year, notify the public ten (10) days in advance of closing the said agency by posting a notice in a conspicuous place at said station and shall also notify this Commission, in writing, that said agency is to be closed.

- (2) Southern Pacific Company shall store less-than-carload freight shipments under lock in the company's warehouse and the railroad telephone, located at this station, shall be made available to its patrons. The key to both the warehouse and to the telephone shall be obtainable from a custodian located at or near said station and notice, advising shippers where said keys may be secured, shall be maintained at both warehouse and telephone.
- (3) Railway Express Agency, Inc. shall continue to handle express shipments moving into or out of said point, provided they are tendered to or received from an express messenger at car door of trains stopping at said point.
- (4) Applicants shall within thirty (30) days thereafter notify this Commission of the abandonment herein authorized and of their compliance with the conditions hereof.
- (5) 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 27th day of December, 1932.

C. L. Seavey
Leon Whiteley
M. D. Am
M. B. Harris
Fred G. Stewart
Commissioners.