

Decision No. 25607.

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 its  
agency at San Joaquin Station, County  
of Fresno, State of California, and  
(b) RAILWAY EXPRESS AGENCY, INC., for  
an order authorizing it to abandon  
its agency at said station.

-----

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

**ORIGINAL**

Application No. 18434.

Application No. 18435.

Roy G. Hillebrand, for Applicant.  
Arthur C. Shepard, for Fresno County  
Supervisors.  
Henry Hawson, for James Irrigation District,  
Protestants.  
J. A. Benkert, for Tranquility Irrigation  
District.  
N. D. Pritchett, for Order of Railroad  
Telegraphers, Protestants.

BY THE COMMISSION:

O P I N I O N

In the above entitled proceedings Southern Pacific  
Company and Railway Express Agency, Inc. seek authority to close  
their respective agencies at San Joaquin and Tranquility, in  
Fresno County, California.

A public hearing was conducted in these proceedings at  
Fresno, California, by Examiner Hunter on January 11, 1933, and  
the matters are now ready for decision.

Both San Joaquin and Tranquility are unincorporated towns, each having a population of about 150 persons within a radius of one mile, and are located five miles apart on the Riverdale Branch of Southern Pacific Company's San Joaquin Division. The present normal train service on this Branch Line consists of a local freight train operated in each direction tri-weekly between Hanford and Tranquility; no passenger train service has been performed over this Branch since March 1, 1932.

The nearest existing agency station to the east of San Joaquin is Helm, located a distance of seven miles, and the nearest agency to the west of Tranquility is Mendota, located a distance of thirteen miles.

In support of these applications, records showing operating revenues were introduced (Southern Pacific Company's Exhibit No. 1 in Application No. 18434 and Exhibit No. 1 in Application No. 18435) which include the following figures:

	Revenue Year Ending			
	October 31st			
	San Joaquin		Tranquility	
	1931	1932	1931	1932
Passengers,	\$ -	\$ 19.	\$ 38.	\$ 67.
<u>Freight Received and Forwarded:</u>				
*Less-than-carload, Local	398.	194.	1,075.	241.
Less-than-carload, Interline	24.	7.	71.	132.
*Carload, Local	6,687.	3,732.	3,309.	2,666.
Carload, Interline	95.	421.	457.	457.
TOTAL---	\$7,204.	\$4,373.	\$4,950.	\$3,563.
Total Station Expense		\$1,600.		\$1,600.
Number of Western Union messengers handled	466	262	325	243

\*The amounts shown are one-half of the actual revenue for shipments received and forwarded in order to allocate or credit to the station its proportion of revenue derived therefrom.

This tabulation shows that the business conducted during the twelve-month period ending October 31, 1932, as compared with the same period ending October 31, 1931, reflects a

loss in revenue of \$2,831, or a decrease of approximately 40 per cent at San Joaquin, and \$1,387, or 28 per cent at Tranquility. The principal carload business at both stations consists of grain shipments. The total revenue received during the year ending October 31, 1932, excluding that derived from carload business, was approximately 14 per cent of the station expense at San Joaquin and 27 per cent at Tranquility.

Southern Pacific Company introduced operating figures to show that station expense is only a small part of the total expense of handling shipments. Exhibit No. 1 shows that during the year 1931, station expenses on Southern Pacific Company's system amounted to but 7.55 per cent of the total operating expenses.

The revenue for Railway Express Agency, Inc. during the twelve-month period ending July 31, 1932, for all express shipments forwarded from and received at San Joaquin and Tranquility amounted to \$251 and \$336, respectively. In the past, Southern Pacific Company's agent has acted as express agent at both of these points on a commission basis. Applicant, Railway Express Agency, Inc. alleges that in view of the small amount of remuneration no outside party is available to handle these agencies in case Southern Pacific Company is permitted to withdraw its agents.

Applicant, Southern Pacific Company, proposes, if these applications are granted, to arrange at each station to store less-than-carload shipments in its warehouses under lock; also the company's telephones will be made available to patrons to communicate with the agent at Helm for the purpose of ordering cars or for other railroad business.

A number of witnesses appeared as protestants to the granting of these applications. It was their contention that the removal of the respective agencies would result in an incon-

venience to shippers in ordering cars; that they would be deprived of the service of receiving notice of the arrival of less-than-carload shipments that it would be inconvenient if they were required to secure keys to the warehouses and telephones from a custodian; that the San Joaquin agency handles the business originating at Caldwell, a non-agency station located a distance of 3.2 miles east, and that the revenue derived from this station should be credited to the San Joaquin Station. It was shown by Southern Pacific Company that the total freight shipped from this non-agency station amounted to 26 carloads for the year ending October 31, 1932.

The record shows that the Hanford and Summit Lake Railway Company, predecessors in interest to Southern Pacific Company, and the J. G. James Company, a land company, on March 20, 1911, entered into an agreement covering right of way and the construction of this railroad through the James Company's property at San Joaquin. This agreement provides that the railroad shall, at all times, maintain an agency station at Tranquility and at Graves, now known as San Joaquin, which are the agency stations now under consideration; also that the railroad shall operate not less than one passenger and one freight train, daily, in each direction. Mr. Eawson, representing the James Company, contended that the railroad, by the terms of this agreement, is obligated to maintain an agency station at these points and that the applications should be denied.

In passing upon these matters the Commission must base its order upon the question of public convenience and necessity for maintaining agency stations at these locations. From the records in these proceedings it is concluded that public convenience and necessity do not require the maintenance of an agency station under present-day operating conditions at either station under consideration, particularly in view of the fact

that the train service over this branch is limited to a local freight operated tri-weekly, and Southern Pacific Company has outlined a plan for taking care of its business at these points in such a manner as not to work an undue hardship on its patrons, therefore the applications should be granted.

### ORDER

A public hearing having been held in the above entitled proceedings, the matter now being under submission and ready for decision,

IT IS HEREBY ORDERED that Southern Pacific Company and Railway Express Agency, Inc. be and they are hereby authorized to close their respective agencies at San Joaquin and at Tranquility, located on Southern Pacific Company's Riverdale Branch in Fresno County, State of California, and to change their respective records and tariffs accordingly, provided that said stations are continued as non-agency stations, subject to the following conditions:

1. Said agencies are to be continued as non-agency stations.
2. Applicants shall give the public at least ten (10) days' notice prior to the closing of said agencies by posting notices in conspicuous places at said stations.
3. Southern Pacific Company shall store at each station less-than-carload shipments under lock in the company's warehouse, and the railroad company's telephone at these stations shall be made available to its patrons, the keys to both the warehouses and the telephones to be obtainable from custodians located at or near said stations and notices maintained advising shippers where the keys may be secured.
4. Railway Express Agency, Inc. shall continue to handle express shipments moving into or out of said stations, provided they are tendered to or

received from conductor at the car door of the local freight trains stopping at said points.

5. Applicants shall, within thirty (30) days thereafter, notify this Commission, in writing, of the abandonments herein authorized and of their compliance with the conditions hereof.
6. 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 6th day of February, 1933.

*W. J. C.*  
*Leon White*  
*W. J. C.*  
*M. B. Harris*  
*A. J. Harris*  
COMMISSIONERS