

Decision No. 25848

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SOUTHERN PACIFIC COMPANY for an order)
authorizing it to close the agency at) Application No. 18531.
Elmira Station, County of Solano,)
State of California.)

- R. S. Myers, for Applicant.
- H. H. Sanborn and A. B. Roehl, for O. E. Allison;
Elmira Grain Warehouse, Farmers Warehouse Co.,
Elwood Peters, et al., Protestants.
- J. J. Deuel for the California Farm Bureau Federation,
Protestant.
- N. D. Pritchett, for the Order of Railroad Telegraphers,
Protestant.

WARE, COMMISSIONER:

O P I N I O N

In the above entitled proceeding Southern Pacific Company seeks authority to close its agency at Elmira in Solano County, California.

A public hearing was conducted in this proceeding at Elmira on February 9, 1933, and the matter was duly submitted and is now ready for decision.

Elmira is unincorporated and is located on Southern Pacific Company's main line between Oakland and Sacramento, via Suisun-Fairfield, and is the easterly terminal of the Rumsey Branch, which extends from Elmira in a northwesterly direction to Rumsey, a distance of 51.5 miles. The present normal train service on this branch consists of a mixed train daily except Sunday between Elmira and Esparto and return, and on Mondays, Wednesdays and Fridays this service is extended to Rumsey. The daily main line train service serving Elmira consists of four

passenger trains southbound and three northbound and a local freight which operates between Sacramento and Suisun-Fairfield and return, there being no local freight operation on Sunday.

The nearest existing agencies to Elmira on the main line are at Dixon, 8.1 miles to the north, Suisun-Fairfield, 10.3 miles to the south, and on the said branch line at Vacaville, 4.3 miles to the west. The population is estimated to be approximately 150 permanent residents.

In support of the application, records showing operating revenues were introduced by applicant (Exhibit No. 1), which include the figures shown below:

I t e m s	Revenue	
	Year Ending November 30 1931	1932
Passenger tickets,	\$1,018	\$ 836
Milk and Cream,	158	80
*Less-than-carload - Local,	402	174
Less-than-carload - Interline,	10	32
*Carload - Local,	2,495	1,955
Carload - Interline,	2,568	1,252
Total Passenger, milk and cream, less-than-carload and carloads,	\$6,651	\$4,329
Station Expense,	-	2,154
Number of Western Union Messages,	143	100
Baggage handled, pieces,	774	201
Number of Way Bills made,	280	195
Number of Freight Bills made,	580	344

* 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.

In addition to the revenue shown in applicant's Exhibit No. 1, applicant's witness testified there was an average of eleven dollars per month received from Pacific Motor Transport business transacted which should be credited to Elmira Station.

This tabulation (excluding Pacific Motor Transport business) shows that the business conducted during the twelve months'

period ending November 30, 1932, as compared with the same period ending November 30, 1931, reflects a loss in revenue of \$2,322., or a decrease of approximately 35 per cent. The principal carload business originating at this station consists of wool, live stock and barley. The total revenue received during the year ending November 30, 1932, excluding that derived from carload business, was approximately one-half the station expense.

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 expense.

Applicant proposes if the application is granted to arrange storage for less-than-carload shipments in its warehouse under lock; also the free use of the company's telephone will be made available to patrons to communicate with the adjacent agents for the purpose of ordering cars or for other railroad business.

Six witnesses appeared as protestants to the granting of this application. Four of them contended that the removal of the agent would result in an inconvenience to shippers in ordering cars, weighing of wool, making out of bills of lading, securing information on rate matters, and receiving notice of the arrival of less-than-carload shipments. It is also their contention that it would be inconvenient if they were required to secure the keys to the warehouse and telephone from a custodian. The testimony of the other two was without effect.

While the net earnings of an agency are not the final test of public convenience and necessity for its continuance, it is an element which must be considered and in this case it was shown that the agency is operated at a loss when allowance is made

for other expense in connection with shipments to and from this point. It does not appear that the patrons of the line will in this case be seriously inconvenienced if this agency is abandoned, provided the arrangements proposed by applicant are effected.

After carefully considering this entire record, it is concluded that in view of the fact that the adjacent agencies can take care of the business at this point, without undue hardship to the patrons, the expense of maintaining this agency is not justified and therefore the application should be granted.

O R D E R

A public hearing having been held in the above entitled proceeding, the matter having been duly submitted and the Commission now being fully advised and basing its order upon the conclusion as appears in the opinion which precedes this order,

IT IS HEREBY ORDERED that the applicant, Southern Pacific Company, a corporation, be and it is hereby authorized to close its agency station at Elmira, County of Solano, State of California, and to change its station records and tariffs accordingly, subject to the following conditions:

- (1) Applicant shall continue said station as a non-agency station.
- (2) The abandonment of this agency shall not result in an increase in fares for passengers boarding train at this point.
- (3) Applicant shall notify the public ten (10) days in advance of the closing of said agency by posting a notice in a conspicuous place at said station.
- (4) Applicant shall store less-than-carload freight shipments under lock in the company's warehouse and the free use of the company telephone, located at this station, shall be made available to patrons, the keys to both warehouse and telephone to be obtainable from a custodian located at or near said station, notice of which shall be maintained advising prospective shippers and patrons where keys may be secured.

- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the abandonment herein authorized and of its compliance with the conditions thereof.
- (6) The authorization herein granted shall lapse and become void if not exercised within one year from the date hereof unless further time is granted by subsequent order.

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

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 20th day of February, 1933.

C. J. Leary
Leon Whidney
W. J. Lewis
M. B. Lewis
W. H. Lewis
Commissioners.