

Decision No. 25245.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
(a) SOUTHERN PACIFIC COMPANY for
authority to establish a part-time
agency at the stations of Milpitas
and Alviso, in the County of Santa
Clara, State of California, and (b)
RAILWAY EXPRESS AGENCY, INC. to es-
tablish part-time agencies at each
of said stations.

Application No. 18749.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, joined by Railway Express Agency, Inc., a corporation, on March 7, 1933, petitioned the Railroad Commission for authority to establish part-time agencies in lieu of the present full-time agencies at both Milpitas and Alviso in Santa Clara County, California.

Milpitas is located on Southern Pacific Company's line between San Jose and Oakland via Niles. The nearest agency stations to Milpitas are San Jose, 6 miles to the south, and Irvington, 7.9 miles to the north. Alviso is located on the Santa Clara line via Elmhurst. The nearest agency stations to Alviso are Agnew, 2.6 miles to the south, and Newark, 8.5 miles to the north. Milpitas is located 4 miles to the east of Alviso by highway.

Accompanying the application is a comparative statement showing the amount of business transacted by Southern Pacific Com-

pany at these stations, which is as follows:

Items	Milpitas		Alviso	
	1931	1932	1931	1932
Passenger tickets sold,	206	103	213	26
Number of less-than-carload shipments received,	317	360	488	341
Number of less-than-carload shipments forwarded,	364	368	89	70
Number of carload shipments received,	181	136	161	102
Number of carload shipments forwarded,	89	69	395	325

A study of the stations' records shows that during the year ending January 31, 1933, the expense to maintain both stations amounted to \$5,121., principally agents' wages, and the revenue derived from passenger tickets and less-than-carload shipments received and forwarded amounted to \$3,326.

The express revenue derived during the year ending January 31, 1933, on all shipments forwarded and received at Milpitas amounted to \$1,235, and at Alviso to \$467. The station agent at each of these points takes care of both railroad and express business.

Applicant, Southern Pacific Company, alleges that under the present conditions the revenue derived at said stations does not warrant the continuance and maintenance of a full-time agent at each of said stations and that the business can be adequately handled by the maintenance of an agency at Milpitas during the hours, approximately, of 8:00 A.M. to 9:00 A.M.; 10:30 A.M. to 12:00 noon; 1:00 P.M. to 1:30 P.M.; 3:15 P.M. to 5:00 P.M.; and at Alviso from 9:15 A.M. to 10:15 A.M. and 1:45 P.M. to 3:00 P.M. When the agent is absent from either of these stations during business hours the company plans that a telephone, located outside of the depot, shall be available for patrons to communicate with the adjacent stations for the purpose of ordering cars or obtain-

ing information on any other railroad business. The key to the said telephone shall be in the possession of a duly authorized custodian at or near the said stations.

Railway Express Agency, Inc. proposes to maintain an agent at each of the two stations involved during the same hours as does the railroad. When the agent is absent express shipments may be tendered to or received from the express messenger at car door of the trains stopping at said points.

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

A member of the Transportation Division 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 to the granting of this application.

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 establish part-time agencies at Milpitas and Alviso in Santa Clara County, California. The agency at each of these points will be open each weekday at approximately the following hours:

Milpitas

8:00 A.M. to 9:00 A.M.
10:30 A.M. to 12:00 noon
1:00 P.M. to 1:30 P.M.
3:15 P.M. to 5:00 P.M.

Alviso

9:15 A.M. to 10:15 A.M.
1:45 P.M. to 3:00 P.M.

The authorization herein granted is subject to the

following conditions:

- (1) The part-time operation of these agencies shall not result in an increase in fare for Southern Pacific Company's passengers boarding trains at these points.
- (2) During the absence of the agent at either of said stations the company's telephone shall be made available to patrons. A key to said stations shall be in the possession of a duly appointed custodian and shall be made available to patrons whenever occasion demands. A notice shall be maintained in a conspicuous place at the telephone advising shippers where key may be procured.
- (3) Railway Express Agency, Inc. shall during the absence of the agent continue to handle express shipments moving into or out of said stations, provided they are tendered to or received from express messenger at car door of trains stopping at said points.
- (4) Applicants shall notify the public of the establishment of the proposed part-time agencies by posting a notice at each station for at least ten (10) days in advance of the establishment of such agencies, and thereafter maintain such notice.
- (5) Applicants shall, within thirty (30) days thereafter, notify this Commission, in writing, of the change herein authorized and of its compliance with the conditions herein.
- (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.
- (7) 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 authorization herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 17th day of April, 1933.

W. J. Lewis
W. J. Lewis
W. J. Lewis
W. B. Lewis
W. B. Lewis
Commissioners.