

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 2299

In the matter of the application)
of SAN DIEGO and SOUTH EASTERN)
RAILWAY COMPANY for an order)
authorizing the abandonment of)
its agency at Otay, California.)

Application No. 1571.

Read C. Dilworth for applicant.

REBLEN, Commissioner.

O P I N I O N.

This is an application for an order authorizing the abandonment of the agency of San Diego and South Eastern Railway Company at Otay, San Diego county.

A public hearing was held in San Diego on April 13, 1915. Notice of the hearing was published and a copy of the notice was posted at the station in Otay. No one appeared in opposition to the application.

Applicant urges that the amount of business done by it at Otay station during the last year does not warrant the continuance of an agency at that point. In support of this claim, applicant presented statements showing its passenger and freight business at Otay in the year 1914.

The number of passenger tickets sold at this agency during the last twelve months, together with the revenue received therefrom are as follows:

<u>Single trip</u> <u>Card</u>	<u>Round trip</u>	<u>25</u> <u>Ride</u>	<u>46</u> <u>Ride</u>	<u>Total number</u> <u>Tickets sold</u>	<u>Revenue</u>
47	87	115	95	344	\$730.55

Freight movements during the twelve months ending January 31, 1915, were as follows:

	<u>Forwarded</u>	<u>Tons</u>	<u>Revenue</u>
Carloads		195	\$136.14
Less than carloads		<u>38</u>	<u>73.72</u>
Total		233	\$209.86

	<u>Received</u>	<u>Tons</u>	<u>Revenue</u>
Carloads		400	\$294.65
Less than carloads		<u>370</u>	<u>735.87</u>
Total		770	\$1030.52

The tonnage of the principal commodities forwarded and received and the revenue therefrom for the twelve months ending January 31, 1915, are as follows:

<u>Carloads</u>	<u>Tons</u>	<u>Revenue</u>
Household goods	10	\$ 7.00
Hay	169	115.06
Machinery	<u>16</u>	<u>14.08</u>
Total	195	\$136.14

<u>Less than carloads</u>	<u>Tons</u>	<u>Revenue</u>
Merchandise	30	57.74
Vegetables	4	7.39
Household goods	<u>4</u>	<u>8.59</u>
Total	<u>38</u>	<u>\$ 73.72</u>
Total forwarded	233	\$209.86

<u>Carloads</u>	<u>Tons</u>	<u>Revenue</u>
Oil	25	\$ 21.34
Grain	334	234.05
Lumber	16	20.48
Pipe	<u>25</u>	<u>18.78</u>
Total	400	\$ 294.65

<u>Less than carloads</u>	<u>Tons</u>	<u>Revenue</u>
Merchandise	306	642.20
Oil	19	35.07
Lumber	<u>45</u>	<u>58.60</u>
Total	<u>370</u>	<u>\$ 735.87</u>
Total received	770	1030.52

Applicant claims that its carload shipments to and from Otay can be handled without difficulty, by telephone, from the agency station at Chula Vista, 5.2 miles away, and that the less than carload shipments can be handled by the train crew at Otay. Applicant further claims that its freight business at Otay has fallen off materially because of the competition of motor trucks, which haul in general for the same rates as the railroad, but make delivery or take freight directly to the consignee or from the consignor.

The average monthly expense in maintaining the agency at Otay during the year 1914 was \$67.67, of which amount \$60.00 represents the agent's salary and \$5.00 telephone rentals. This expense is almost 50 per cent of the total revenue derived by applicant at this station from both freight and passengers.

The evidence seems to show that it would be unreasonable to compel the applicant to retain its agency at Otay under the conditions now prevailing, particularly in view of the fact that the carload business can be handled from Chula Vista and that passengers can buy their tickets in San Diego or on the train without additional expense. The waiting room at Otay should be kept open for the accommodation of applicant's patrons. I am also of the opinion that any patron or shipper who may believe that he is injured by the abandonment of this agency should be permitted to draw the matter to the Commission's attention after a six months' trial.

I recommend that the application be granted on the conditions specified in the order herein, and submit the following form of order:

ORDER.

SAN DIEGO AND SOUTH EASTERN RAILWAY having filed its petition applying for an order authorizing the discontinuance of the company's agency at Otay, San Diego county, and a public hearing having been held, and the Railroad Commission finding that the said petition should be granted, subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED that San Diego and South Eastern Railway Company be and the same is hereby authorized to discontinue its agency at Otay, subject to the following conditions:

1. The waiting room at Otay shall be kept open and cleaned for the accommodation of applicant's patrons.
2. After a six months' trial, any patron or shipper of applicant who may be dissatisfied with the abandonment of the agency may draw the matter to the Railroad Commission's attention and ask for the revocation or amendment of this order.

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 19th day of April, 1915.

Max Shelton
Max Gordon
Edwin O. Edgerton
Wm. R. Devlin
Commissioners.