

ORIGINAL

Decision No. 983

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

A. M. BUCHANAN,	Complainant,	:	
vs.		:	Case No. 425.
SOUTHERN PACIFIC COMPANY,	Defendant.	:	

Leroy J. Smith, of Edwards & Smith, for
Complainant;
E. J. Foulds, for Defendant.

GORDON, Commissioner.

O P I N I O N

In this case A. M. Buchanan, a merchant and resident of Traver, a station on the San Joaquin Division of the Southern Pacific Company, 5.7 miles south of Kingsburg, and 8.2 miles north of Goshen Junction, petitions the Commission for an order requiring the Southern Pacific Company to restore and maintain an agent at that point.

It appears that the carrier erected a station building at this point and for a number of years maintained an agent at Traver and that on or about January 1, 1909, it withdrew its agent and thereafter operated that station as a "prepay station", and it is alleged by the complainant that the withdrawal of the agent has resulted in detriment and damage to the people of the town of Traver and its vicinity, and that the present facilities are unreasonable, unjust and inadequate. The defendant contends that the revenue received from traffic to and from Traver was not and is not now sufficient to justify the maintenance of an agent thereat, and that while some inconvenience may have resulted from the withdrawal of the agent at Traver, that it is not material and sufficient to justify the maintenance of an agent there.

The evidence shows that considerable inconvenience and detriment have resulted from the withdrawal of the agent at Traver, in various ways, to the people shipping or receiving goods there, or passengers travelling to or from that point. For instance, since the withdrawal of the agent periodic excursion fares have not been available from Traver to other points, as from nearby stations- such as Goshen Junction and Kingsburg,- for the reason that there has been no agent there to sell tickets at such fares and the train conductors are not permitted to do so.

Again, because there is no agent at Traver, passengers boarding trains there for points of destination beyond Fresno, can only purchase, from conductor of the train, tickets to Fresno, the conductors of the trains carrying passengers from Traver to Fresno not being authorized or permitted to sell tickets to points beyond their runs, which terminate at Fresno, and are required to detrain at that point and purchase of the agent there tickets to their destinations, otherwise pay an additional fare as a penalty for not having secured a ticket at that point, unless, in the discretion of the conductor, sufficient opportunity to do so was not given. This same condition obtains in cases of persons travelling to points beyond Goshen Junction, except on certain through trains which operate with the same train crew into Los Angeles.

There has been much inconvenience experienced in the ordering of cars for loading of carload shipments at Traver and it is of record that live stock has been driven from points nearby Kingsburg into Traver to be weighed, for the reason that there is at Kingsburg no adequate scales for weighing live stock, and then driven back to Kingsburg for loading into the cars of the defendant for transportation. The return drive from Traver to

Kingsburg, for a distance of 5.7 miles, was made rather than suffer the inconvenience attendant upon securing cars for loading at that point and rather than take the risk, after loading at that point, of having the live stock remain in the cars for a great length of time, tending to their damage, it being impossible to ascertain there the probable time of arrival and departure of the train in which the live stock would likely be transported, and, therefore, it could not be arranged that the loading be delayed until immediately prior to the arrival of such train, as at agency stations.

The defendant submitted a statement of the revenue received from the traffic to and from Traver in support of its contention that such revenue did not justify the maintenance of an agent thereat, but it admitted that its figures did not reflect the entire revenue received from passenger traffic from Traver, as passengers boarding defendant's trains at that point and journeying beyond Fresno and Goshen Junction, except in certain cases, could only purchase from conductor tickets to those points. Again, it is reasonable to presume from the evidence that quite a great deal of freight which ordinarily would move from Traver, if there were an agent at that point, has been diverted to Kingsburg and for this reason also the statement of revenue does not completely set out the revenues of that station if maintained as an agency.

While it cannot be definitely determined at the present time just what conditions would prevail at Traver if an agency were maintained there, with reference to revenue, yet I am of the opinion that under all of the circumstances of this case that the defendant should be required to re-establish such depot. If after such depot has been maintained for a reasonable length of time it appears that a modification of this order should be made it may then be done.

I, therefore, submit the following form of Order:

O R D E R .

A. M. Buchanan, having filed with this Commission a complaint as to the service of the Southern Pacific Company at its station called Traver on its San Joaquin Division, and a full investigation and hearing of the matters and things involved having been had, .

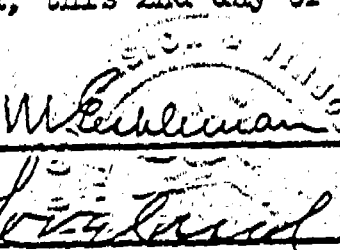
IT IS HEREBY ORDERED: That the Southern Pacific Company install an agent at its station called Traver on its San Joaquin Division, and maintain said agent at that point until the further order of this Commission; and

IT IS FURTHER ORDERED: That the Southern Pacific Company shall keep a complete and accurate account for the period of one year of the business transacted at said station of Traver and the additional expense incurred because of the maintenance of an agent there; also complete data of the number of passengers travelling to and from that point, and submit the same to this Commission; and

IT IS FURTHER ORDERED: That the provisions of this order be put into effect not later than twenty (20) days from the date of the service 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 2nd day of October, 1913.


John W. Buchanan
H. L. ...
Max ...

Commissioners.