

Decision No. 21450

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

IN THE MATTER OF THE APPLICATION OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, A CORPORATION, (HEREINAFTER CALLED ATCHISON COMPANY) AND RAILWAY EXPRESS AGENCY, INCORPORATED, A CORPORATION (HEREINAFTER CALLED EXPRESS AGENCY) FOR AUTHORITY TO DISCONTINUE THEIR AGENCY AT ORO GRANDE, CALIFORNIA, AND TO OPERATE THE SAME AS A NON-AGENCY STATION.

APPLICATION NUMBER

22016

M. W. Reed, for Applicants.

H. J. Heaney, for J. L. Elliott, General Chairman Order of Railroad Telegraphers, Protestant.

O P I N I O N

This is a joint application filed by the Atchison, Topeka and Santa Fe Railway Company and Railway Express Agency, Inc., seeking authority to close their agency at Oro Grande, San Bernardino County, California.

A public hearing in this matter was conducted by Examiner Ager at San Bernardino on October 27th, 1938, at which time it was duly submitted, and is now ready for decision.

The record shows that notices of intention to abandon this agency, under the provisions of the Commission's General Order No. 38-B, were posted at the station continuously during the entire month of September, and that, receiving no protest, the station was closed effective as of October 1, 1938. Since this date the station has had the status of a non-agency station, and a caretaker has been maintained thereat.

The nearest agency stations to Oro Grande are located at Victorville 5.1 miles west, and at Barstow 31.3 miles east. No local freight service is provided through this area, but there are two daily west-bound trains and three daily east-bound trains

which make flag stops at the station.

Tabulated below is a summary, taken from Exhibits No. 2 and No. 3, of the business handled at the Oro Grande Station for the 18 months period ending September 30, 1938.

<u>CARLOADS</u>		<u>L.C.L. SHIPMENTS</u>		<u>TICKETS SOLD</u>
Rec'd.	Fwd.	Rec'd.	Fwd.	
1	234	500	49	148

At one time a large cement plant was located at Oro Grande, and this plant contributed substantially to the revenues at this location. Operation of the plant was discontinued some two years ago, and since that time shipments from and to the station have shown a steady decline.

During the 12 month period ending September 30, 1938, there were 327 Railway Express shipments, with a revenue of \$263.61. A witness for Railway Express Agency, Inc. testified that if the application is granted, express shipments may be tendered to the messenger at the car door and that express shipments destined for Oro Grande must be prepaid and will be put off the train at the owner's risk.

A representative of the Order of Railroad Telegraphers appeared at the hearing as a protestant in this proceeding, but offered no evidence in support of his protest.

The testimony shows that the expense of maintaining agency service at this point amounts to approximately \$200 per month, and a careful consideration of the record leads us to the conclusion that the volume of business handled does not justify the expenditure of this amount of money.

Notices of the hearing on this application were posted at the station, and were also sent to the shippers whose names appeared on the Exhibit attached to the application, but, other than indicated above, no one appeared in protest.

We are of the opinion that the application is reasonable and should be granted. The following order will so provide.

O R D E R

Public hearing having been held, the Commission being fully advised, and the matter now being ready for decision;

IT IS HEREBY ORDERED that the Atchison, Topeka and Santa Fe Railway Company and Railway Express Agency, Inc. are hereby authorized to abandon their joint agency at Oro Grande, California, and to change the station records and tariffs accordingly, providing said station shall be continued as a non-agency station.

Applicant shall, within thirty days thereafter, notify this Commission in writing of the abandonment of the facilities herein authorized and of its compliance with the conditions hereof.

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.

Dated at San Francisco, California, November 10, 1938.

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