

Decision No. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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 PATTON, CALIFORNIA, AND
 TO OPERATE THE SAME AS A NON-AGENCY
 STATION.

APPLICATION

NO. 22043

ORIGINAL

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 discontinue their agency at Patton, San Bernardino County, and to continue the same as a non-agency station.

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

The nearest agency stations to Patton are located at Highland, 1 mile east, and at San Bernardino 7.7 miles west. The station involved is located on the so-called Redlands Loop line of the Atchison, Topeka and Santa Fe, and there is no passenger service over this branch. Freight service consists of local switching only.

The record shows that the Traffic Department of the Railway Company canvassed the district thoroughly and interviewed the shippers, who stated their preference for handling railroad business through the agent at San Bernardino. The record further shows that less-than-carload business is now being handled by trucks operated by the Santa Fe Transportation Company, so that from this standpoint, abandonment of agency service would make no difference.

Exhibit No. 2 introduced at the hearing shows that for the 17 months period ending September 1938, 154 carloads of freight were received at Patton and 1 carload forwarded. During this same period there were 10 passenger tickets sold, 921 less-than-carload shipments received, and 55 less-than-carload shipments forwarded.

A witness for the Railway Express Agency testified that arrangements have been made for a merchant agent at Patton, who will give the public the same service insofar as the Express Company is concerned, as they now receive.

Notices of the hearing in this matter were sent to all the shippers whose names appeared on the Exhibit attached to the application; and in addition to this, notices of intention to abandon the station under the provisions of the Commission's General Order No. 36-B were kept continuously posted at the station during the entire month of September. Receiving no protests to this latter notice, the services of the agent at Patton were dispensed with as of October 1st, 1938, since which time it has been maintained on a non-agency status. None of the shippers appeared at the hearing to voice a protest to the granting of this application.

A representative of the Order of Railroad Telegraphers entered an appearance as a protestant but offered nothing in the way of evidence.

A thorough review of the record in this proceeding convinces us that public convenience and necessity do not require the services of an agent at Patton, and that satisfactory service can and will be rendered by the agents at Highland and San Bernardino. This opinion is substantiated by the fact that no protest other than that above mentioned has been received. As for the Railway Express service, it was shown that comparable service to that now being received will be provided under the new plan.

We are of the opinion that the joint application to discontinue the agency at Patton, and to operate the same as a non-agency station is reasonable and should be granted.

The following order will so provide.

O R D E R

Public hearing having been held and the Commission being fully advised;

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 Patton, 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.

Frank M. Brown
Chairman
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Chairman
Chairman