

Decision No. 32529

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SOUTHERN)
PACIFIC COMPANY for an order authorizing it)
to close its agency of Salida, County of) Application
Stanislaus, State of California, and to main-) No. 22735
tain the same as a non-agency.)

R. S. MYERS, for Applicant.

N. D. PRITCHETT and D. W. DEAN, for the Order of
Railroad Telegraphers.

E. E. ZION, for Chamber of Commerce of Salida.

BY THE COMMISSION:

O P I N I O N

Southern Pacific Company herein requests authorization to close its agency of Salida, in Stanislaus County, and to maintain the same as a non-agency point.

A public hearing was held in this matter before Examiner Edwards at Modesto on July 14, 1939, at which time the matter was submitted on the filing of concurrent briefs.

Salida is located on the main San Joaquin valley line of Southern Pacific Company, 6.7 miles west of Modesto and 3.1 miles east of Ripon, agency service being maintained at each of these points.

The traffic moving to and from Salida is principally of an agricultural nature, i.e., almonds, melons, grapes, peaches, and watermelons. This movement is highly seasonal, being principally concentrated in the months extending from July to December, although the season may be a month earlier or one month later than this period indicates.

It is the intention of applicant, if this application is granted, to maintain a temporary agency service at said station during the shipping season when, in the opinion of applicant, the amount of traffic to be shipped therefrom justifies such service

but all less-than-carload traffic is now received at Salida by trucks which provide both depot and store-door delivery.

Applicant stated that in view of the variations in the range of the shipping seasons from year to year it was not practicable to sharply designate in advance the periods when an agent should be maintained.

A statement of the amount of business handled at Salida during a two-year period ending March 31, 1939, follows:

<u>Station Data</u>	<u>12 Months Ending March 31, 1938</u>	<u>12 Months Ending March 31, 1939</u>
Baggage handled-pieces	70	25
Number of way bills made	380	294
" " freight bills made	654	569
<u>Freight Received and Forwarded</u>		
Carloads - cars	276	261
*Less-than-carload shipments	723	592
**Carload revenue-Local	\$2,700	\$3,839
" " -Interline	\$27,523	\$24,277
**L.C.L. revenue-Local	\$268	\$438
" " -Interline	\$170	\$143
<u>Passengers and Revenue</u>		
Agency Reports-Passengers	33	17
" " -Passenger Revenue	77	35

* Includes store-door shipments as follows: 1938-42; 1939-102.

** Represents one-half the actual revenue in order to allocate to this station its proportion of the revenues derived from local shipments.

Station expense at Salida during the 12-month period ending March 31, 1939, totaled \$2,278 compared with a revenue of \$616 derived during the same period from less-than-carload and passenger business.

Applicant stated that it has arranged to keep its freight house locked but to provide a custodian of the key located within about 600 feet of the station. Such custodian would make the key available between 8:00 a.m. and 5:00 p.m. Applicant also stated that from an operating standpoint there is no need for the retention of the agency. The company telephone will be placed in a box on the outside of the station whereby the shipper may call the agents direct at either Modesto or Ripon without cost. Applicant further stated that the removal of the agent would involve no additional cost to passengers.

Nine witnesses appeared to protest the granting of the application. They pointed, among other things, to the general inconvenience of doing business without an agent, stressing the problems of collecting loss and damage claims, the prepayment required in certain instances on shipments, the inconvenience of having to obtain a key, and the possibility of traffic being diverted to other carriers or to the truck lines.

Witnesses for applicant pointed to the fact that the prepaid requirements might be avoided through the filing of bonds; that shipping documents could be receipted for by the conductor and left in a box for the shipper; and that loss and damage claims could be handled or settled through other representatives of the carrier.

On consideration of all the facts of record in this case, particularly the volume of traffic handled and the arrangements made to handle less-carload traffic, it appears that the application should be granted.

ORDER

Public hearing having been held in the above-entitled proceeding and the matter having been duly submitted,

IT IS HEREBY ORDERED that applicant, Southern Pacific Company, is authorized to abandon its agency station at Salida, Stanislaus County, and to change its station records and tariffs accordingly, subject to the following conditions:

- (1) Applicant shall continue said station as a non-agency station.
- (2) The abandonment of this agency shall not result in an increase of fares for passengers boarding trains at this point.
- (3) Applicant shall notify the public ten (10) days in advance of the closing of said agency by posting a notice in a conspicuous place at said station.
- (4) Applicant shall store less-than-carload freight shipments under lock in the company's warehouse and the company telephone, located at this station, shall be made available to patrons. The keys to both warehouse and telephone shall be obtainable from a custodian located at or near said station, notice of which shall be maintained at said station advising prospective shippers and patrons where keys may be secured.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the abandonment herein authorized and of its compliance with the conditions hereof.
- (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.

For all other purposes the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 8th day of November, 1939.

Robert W. Anderson
Robert W. Anderson
Ray W. Riley
Thomas J. Caenen
Thomas J. Caenen
Commissioners