

ORIGINAL

Decision No. 12267

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
THE ATCHISON, TOPEKA & SANTA FE RAILWAY )  
COMPANY, a corporation (hereinafter )  
called The Atchison Company) and Railway )  
Express Agency, Incorporated, a corpora- )  
tion (hereinafter called the Express )  
Agency) for authority to close the )  
station at Hinkley, California, as an )  
agency station and to thereafter )  
operate the same as a non-agency station.)

Application No. 30162

John J. Balluff and John B. Kramer, for applicants.

O P I N I O N

In this application The Atchison, Topeka and Santa Fe Railway Company and Railway Express Agency, Inc., jointly seek authority to close the station at Hinkley, California, as an agency station and thereafter to operate the same as a non-agency station.

A public hearing was held before Examiner Gannon at Hinkley on June 8, 1949, and the matter was submitted.

Hinkley Station lies within San Bernardino County and is located 10.2 miles by rail west of Barstow and 22 miles by rail east of Boron, these being the two adjacent agency stations. Operating witnesses of the Santa Fe testified with reference to certain data attached to the application. Exhibit No. 1. indicated that a total of 38 passenger tickets had been sold during the year ending December 31, 1948, and that the number of carload shipments forwarded was 7 and carload shipments received was 46. The latter figure, it was shown, was in error and should be 15, since one shipment of 32 cars had been previously included as 32 shipments. During the

same period 239 less-than-carload shipments were forwarded and 9 received.

Exhibit No. 2 showed revenue and station pay roll at Hinkley during the calendar year 1948. The total station revenue was \$3,757, of which \$3,116 was derived from freight business, \$169 from passenger business, and \$472 from express business. During the same period the station pay roll amounted to \$4,106.

This witness testified that the item of \$3,116 represented the full freight revenues derived from all shipments originating at or destined to Hinkley, irrespective of the station at which payment had been received. The record shows that under this method the major part of the freight revenue item would be likewise credited to the other stations involved in the shipments and that for practical purposes the gross revenue credited to Hinkley Station should be reduced by approximately one-half of \$3,116.

The witness was cross-examined as to the propriety of assessing the entire amount of the agent's salary against the revenues received at Hinkley Station, it being contended that at least a portion of the agent's time was devoted to duties which dealt with train operation and was entirely apart from the duties of an agent to the public. Applicants conceded that none of the agent's salary had been assessed against train service, but pointed out various other expenses required in station maintenance which had been omitted from the application and which would more than offset any reasonable charge against the agent's time. The witness further indicated that under modern methods an operator's presence was no longer required at Hinkley, and even gross revenues were insufficient to meet an agent's salary.

Still another exhibit was introduced by applicant to indicate the financial showing during the first five months of 1949, which showed a deficit of approximately \$335 for that period.

A witness for one of the applicants testified that the business at Hinkley Station for the year 1947 included two carloads received, with none forwarded, and a net loss, on the basis of the tabulation as shown in Exhibit No. 2, of approximately \$500.

The final exhibit was a communication from Railway Express Agency to the effect that said agency will handle traffic for Hinkley from Barstow and will continue to accept shipments directly to Hinkley if packages are forwarded prepaid and marked "put off at owner's risk."

In the event the request to convert Hinkley Station into a non-agency station is granted, the applicant proposes to install a company telephone in the station building to connect through the dispatcher with applicants' Barstow Station, whereby arrangements may be made for freight shipments to and from Hinkley. Under such plan, a shipper would telephone from the Hinkley depot and advise the Barstow agent of his intention to forward a shipment and its destination. If the shipment were a carload lot, an empty car would thereafter be spotted at Hinkley siding for his use, he again advising the Barstow agent when it was loaded. Less-than-carload shipments of freight would be left in the Hinkley Station building, and, on being notified over the phone, the Barstow agent would arrange to have them picked up by the train crew. Billing would be done by the crew.

On incoming shipments to Hinkley, only those shipments prepaid to the point of delivery would be handled.

Telegrams would no longer be transmitted or received. Mail service, however, would not be affected.

A number of residents of the surrounding area attended the hearing, and approximately 12 of them testified in opposition to the granting of the application. Many of them are engaged in farming and others in the poultry business. It was estimated that approximately 100 families reside in the vicinity who could be classified as potential users of the facilities of Hinkley.

Residents of the Harper Lake area, approximately 10 miles northwest of Hinkley, are entirely without telephone service and have heretofore availed themselves of telegraph facilities maintained at Hinkley for business and emergency communications. The record shows that during the year 1948 approximately 640 telegrams were dispatched from or received at this station. For those persons with telephones, telegrams would be relayed through Barstow, but for residents of the Harper Lake area, comprising about 100 persons, this service would be lost. These persons, however, may still employ the telephone service within Hinkley and the surrounding area to transmit telegrams via Barstow, and arrange for receipt of messages over the same exchange.

One of the witnesses, a receiver of baby chickens by prepaid express, stressed the care required of and given by the Hinkley Station agent to assure satisfactory handling of this commodity. He admitted that parcel post regulations provided for handling baby chickens but contended that existing postal facilities at Hinkley were insufficient to handle the volume of some of his past shipments.

It was generally admitted by protestants that within the

past years relatively small use had been made by them of express, freight, or passenger service, for which Hinkley Station had been established. One of the witnesses testified that while the district in which he resided had purchased approximately 75 carloads of poultry feed annually, none of these shipments was routed by rail line because of the greater convenience afforded by truck delivery to the farms. It was his contention that the agency station should be maintained as a matter of principle, to solicit the good will of the community for future traffic that might develop.

One of the principal shippers, who owns and operates the only general store in the town, testified that although he received substantial express and freight shipments, his primary interest in the preservation of the present service was to make possible the retention of the station agent, who is well thought of in the community.

The Commission has given due consideration to the testimony of applicants and protesting witnesses. We have considered the amount of carload and less-than-carload business transacted at this agency, as well as the revenue derived and the attendant expenses. The distance to other agency stations and the convenience to the general public have been taken into account.

Upon consideration of the facts of record in this proceeding, we are of the opinion, and find, that maintenance of the applicants' agencies is not compensatory; that the number of transactions at the Hinkley agency is relatively few; that carload freight service will not be materially affected; that less-than-carload service will continue to be handled, in the limited manner indicated, and that the inconvenience which a few patrons may

experience is not commensurate with the cost of continuing agency service.

For these reasons the application of each applicant will be granted.

ORDER

A public hearing having been held in the above-entitled proceeding, the matter having been duly submitted, and the Commission being advised,

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company and Railway Express Agency, Inc., be authorized to abandon their joint agency station at Hinkley, San Bernardino County, California, and to change station records and tariffs accordingly, subject to the following conditions:

- (1) Applicants shall continue said station as a non-agency station.
- (2) Applicants shall give not less than ten (10) days' notice to the public of said agency abandonment by posting notice at said station.
- (3) Applicant, The Atchison, Topeka and Santa Fe Railway Company, shall store less-than-carload freight shipments, under lock, in the company's depot located at said Hinkley Station, and shall install a company telephone at said station, which shall be made available to patrons. The keys to both freight house and telephone shall be obtainable from a custodian located at or near said station. Notice shall be maintained at said station advising prospective patrons where keys may be secured.
- (4) Applicants shall, within thirty (30) days thereafter, notify this Commission in writing of the abandonment of the facilities authorized herein and of their compliance with the conditions hereof.
- (5) The authorization herein granted shall lapse

and become void if not exercised within ninety (90) days after the date hereof, unless further time is granted by subsequent order.

The effective date of this order shall be twenty (20) days after the date hereof.

Dated at San Francisco, California, this 28<sup>th</sup> day of June, 1949.

O. F. Anderson  
Justice F. C. Brewer  
Chas. F. Sullivan  
Harold P. Kild  
Penicott Patten  
 COMMISSIONERS