

ORIGINAL

Decision No. 43669

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
THE ATCHISON, TOPEKA and SANTA FE )  
RAILWAY COMPANY, a corporation, for )  
authority to discontinue agency )  
service at its station at Carlsbad, )  
California, and to thereafter operate )  
the same as a non-agency station. )

Application No. 30554

Robert W. Walker and Frederic A. Jacobus for applicant.  
W. Dennis Wood for Carlsbad Chamber of Commerce;  
Walter L. Glines for Carlsbad Union School District,  
Clinton L. Pedley for Carlsbad Journal, W. C. Atkinson  
for Army & Navy Academy, and Ralph D. Ebright, Donald  
Briggs, Archie W. Pahl, Jr., Verne Snorgrass, Ernie  
Phillips, G. C. McClellan, J. Riven Barder, William H.  
Stringer, protestants.

O P I N I O N

By this application, The Atchison, Topeka and Santa Fe Railway Company, a corporation (hereinafter referred to as Santa Fe), requests authority to discontinue agency service at its station at Carlsbad.

A public hearing was held in Carlsbad, on November 30, 1949, before Examiner Chiesa.

Evidence, oral and documentary, having been adduced, the matter was submitted for decision.

The evidence introduced by applicant shows that applicant maintains an agency station at Carlsbad which serves the public from 7:45 a.m. to 4:45 p.m., daily, except Saturdays and Sundays; that applicant has agreements with Railway Express Agency, Western Union, and United States Post Office Department whereby, for a commission or other consideration; the services of said companies or department are also made available to the public at, or from, said station.

Should applicant's request be granted, it proposes to discontinue maintaining an agent at Carlsbad, and shippers or consignees of less-than-carload shipments would be required to use applicant's facilities in the city of Oceanside situated 3.1 miles northerly of Carlsbad. Carload shipments would continue to be handled at Carlsbad upon arrangements first having been made through the Oceanside or another station agency. The U. S. Mail would be handled by the train crews and a mail messenger through a locker exchange. The Railway Express Agency and Western Union would appoint other agents somewhere in the city of Carlsbad.

Applicant's superintendent of the Los Angeles division, which includes Carlsbad, testified concerning the manner of handling carload and less-than-carload shipments, express, telegrams, mail, and passenger tickets at Oceanside in the event the Carlsbad agency is discontinued. Facilities at Oceanside appear to be adequate, if not convenient, for the Carlsbad patrons.

Several exhibits were offered by the Santa Fe showing passenger and freight revenue and station payroll at Carlsbad. Exhibit No. 1 shows that Santa Fe received gross freight revenue of \$32,787.97 for the twelve months' period of June, 1948, to May, 1949. Exhibit No. 2 shows a passenger revenue of \$225 and a station payroll of \$4,724.26 for the same period. Exhibit No. 3 shows 129 carloads received; two carloads shipped, 320 less-than-carload shipments received and 27 less-than-carload shipments forwarded during the same period. Only 42 passenger tickets were sold at Carlsbad during this period. Exhibit No. 4 shows that for the period of June through October, 1949, applicant's gross revenue was \$11,749, and the station payroll was \$2,043.95. In addition to the revenues shown in Exhibits Nos. 1, 2, and 4,

applicant received \$1,654.85 for the period of June, 1948, through October, 1949, (Exhibit No. 9), as net commissions for handling express and Western Union messages. Mail revenue was undeterminable. Therefore, it appears from the evidence presented by applicant that for the period shown, May, 1948, through October, 1949, the Santa Fe received through the operation of its agency station at Carlsbad at least a gross revenue of \$46,416.82, and that its expense for station payroll was \$6,768.21.

No evidence was offered to show the proportion of revenue properly chargeable to this station or the amount by which applicant's revenue would be reduced were the agency discontinued. Applicant's sole witness was of the opinion that applicant's net revenue from Carlsbad is less than salary paid the station agent. This statement was not supported by evidence.

No evidence was offered by the protestants, although much information was volunteered in the form of statements during and after cross-examination of applicant's witness. The statements concerned population growth, higher postal receipts, prospective industrial and business expansion, and new residential construction.

Having fully considered the record, we find that applicant's request to discontinue agency service at Carlsbad has not been justified by the evidence in this proceeding. Hence, the application will be denied.

#### ORDER

A public hearing having been held in the above-entitled proceeding, the Commission being fully advised in the premises, and good cause appearing,

IT IS ORDERED that Application No. 30554 be, and it hereby is denied.

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

Dated at San Francisco, California, this 4<sup>th</sup> day of January, 1950.

R. E. Murray

Justus F. Wheeler

Joseph P. Finell

Harold P. Kula

Herbert W. Potter

COMMISSIONERS