

Decision No. 44915

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of The Atchison, Topeka and)
 Santa Fe Railway Company, a corporation)
 (hereinafter called "The Atchison Company"),)
 and Railway Express Agency, Inc. (hereinafter)
 called the "Express Agency"), for authority to)
 reduce agency service at the station of Middle)
 River, California.)

Application
No. 31679O P I N I O N

Applicants, The Atchison, Topeka and Santa Fe Railway Company and Railway Express Agency, Inc., request authority to discontinue agency service at The Atchison Company's station at Middle River, in San Joaquin County, during the months of March to June, inclusive, of each year, and to operate said station as a non-agency station during said months and as an agency station during the months of January, February, and July to December, inclusive, of each year.

The nearest agency stations to Middle River station are Knightsen, located 8.2 miles west, and Holt, 5.5 miles east. The chief commodities handled at Middle River station are potatoes, grain, onions and carrots, which are forwarded, and boxes, shook and seed potatoes, which are received.

In justification for the authority sought, applicants allege that the primary needs of that portion of the public which utilizes the transportation services of applicants at said station can be adequately and sufficiently served by operating said station in the manner as proposed; that the maintenance of an agent at said station during the months of March to June, inclusive, is not required in the interests of public convenience and necessity.

The amount of business handled by the Middle River station during the year 1949 may be summarized as follows:

	<u>1949 (12 months)</u>	<u>1949 (March to June)</u>
Carload Forwarded	1,396	0
LCL Forwarded	0	0
Carload Received	20	18
LCL Received	8	1
Local tickets sold	6	3
Interline tickets sold	0	0

On September 15, 1950, this Commission sent letters to a list of applicants' customers who have used the facilities at Middle River station, informing them of the proposed reduction in service. They were further informed that in the event the Commission failed to hear from them within 15 days it would be assumed that they had no objection to the granting of the authority sought. The 15-day period has expired and the Commission has received no response from these individuals to the effect that they contemplate protesting the granting of the application.

After full consideration, it is the opinion of the Commission that the applicants' request is justified. The continuance of an agent at Middle River station during the months of March to June, inclusive, does not appear to be required by public convenience and necessity. A public hearing does not appear necessary.

ORDER

Therefore, good cause appearing,

IT IS ORDERED that The Atchison, Topeka and Santa Fe Railway Company and Railway Express Agency, Inc., are authorized to discontinue agency service at Middle River station during the months of March to June, inclusive, and to change station records

and tariffs accordingly, subject to the following conditions:

(1) Applicants shall continue said station as a non-agency station during the months of March to June, inclusive, and as an agency station during the months of January, February, and July to December, inclusive, of each year.

(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) Applicants shall, within thirty (30) days after the effective date hereof notify this Commission in writing of the abandonment of the facilities authorized herein and of their compliance with the conditions hereof.

(4) The authorization herein granted shall lapse and expire if not exercised within one (1) year 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 17th day of October, 1950.

R. E. Drummond
Justus J. Calver
Robert F. Powell
Harold A. Kulo
Robert P. Potter
 COMMISSIONERS