

Decision No. 47255**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 THE WESTERN PACIFIC RAILROAD COMPANY)
 and RAILWAY EXPRESS AGENCY, INC. for) Application No. 32751
 authority to discontinue agency service)
 at Belden, California.)

Otis J. Gibson, for applicants.
Meredith L. Wilson, for protestant.

O P I N I O N

In this application The Western Pacific Railroad Company and Railway Express Agency, Inc., jointly seek authority to close the station at Belden, California as an agency station and thereafter to operate it as a non-agency station.⁽¹⁾

A public hearing was held by Examiner Cannon at Belden on April 23, 1952, and the matter was submitted.

The application alleges that the volume of passengers, carload, less-than-carload and express traffic handled by applicants to and from said station is not sufficient to justify the continuance of said station on an agency basis.

Applicants produced four operating witnesses, three of whom testified for Western Pacific and one for the Express Agency. Their testimony was directed mainly to an explanation of the mechanics of operation in the event the station were reduced to a non-agency status.

(1) Belden is located on the main line of the railroad. The nearest agency station west of Belden is Oroville, which is 55 miles distant. The nearest agency station east is Keddie which is 21.4 miles distant.

One witness testified as to the manner in which shipments *are* generally handled at non-agency stations. Inbound carload shipments will be set out by the conductor, *to many bills* taken to the nearest agency, and the consignee notified by post card. Outbound carload shipments are handled at the station. The agent at either Keddie or Oroville will be called to have a car placed at Belden. When the car is loaded the shipper will notify the nearest agency to pick it up. The shipper will sign the bills of lading, leaving them in the box where the conductor will pick them up, leaving a copy for the shipper and take the shippers' orders to the nearest agency where a car will be billed out. In the case of l.c.l. shipments, they will be left in a locked storeroom and the consignee will be notified in the usual manner. A key will be made accessible to all consignees. The conductor will sign the bill of lading and take the shipper's order to the nearest agency. Daily local train service is provided to handle the shipments in and out of the Belden area. This witness testified that Sacramento Freight Lines operates a daily truck service through Belden, and renders a door to door service to some localities in the area.

Another operating witness testified regarding the business handled, revenue and expenses. The gross revenue of Belden station for 1951 was \$488. Expenses amounted to \$4,990. Wages constituted the major item in the latter amount. No passenger tickets were sold at this station during the year 1951. One carload of machinery and five tons of various commodities were shipped out in 1951. L.c.l. shipments received amounted to 18 tons.

A representative of Railway Express Agency submitted an exhibit indicating that from March 1950 to February 1951, inclusive, there was an average of 30 shipments per month handled, and in the last period of March 1951 to February 1952, the average per month

(2)
dropped to 13. The average gross revenue per month over the two-year period ending February 1952 is \$70.48.

Protestants rely upon the testimony of three public witnesses, one of whom is the Postmistress at Belden. She testified that Belden has a population of 140 to 150 who depend on the railroad, Western Union and telephone facilities for their contact with outside communities. Pacific Greyhound busses operate through Belden but at the time of the hearing this carrier was on strike. (3)

The second witness was the driver of the school bus providing transportation for about 25 pupils. Express and freight shipments are poorly handled, and telephone service is very unsatisfactory, according to this witness.

The third witness for protestants was the operator of a resort at Belden and was of the opinion that the closing of the station would work a hardship on the area involved. He complained of the service rendered by Western Union and the telephone company. C.O.D. shipments are not promptly delivered and at rare intervals are carried on to Quincy and must be reclaimed by consignee.

While all of the protesting witnesses criticised the present service nevertheless they desired its retention presumably on the theory that poor service is better than none at all.

The Commission has given due consideration to the testimony of applicants and protestants herein. It is true that the

(2) The shrinkage is undoubtedly due to a tapering off of construction activities of the Pacific Gas and Electric Company in the Belden area.

(3) Eastbound, Greyhound bus arrives at Belden at 7:04 p.m.; westbound, leaves Belden at 10:38 a.m.

amount of less-than-carload business has frequently been relied upon as a convenient means of measuring the necessity for maintaining a station agency. However it is not the only factor that should be considered. Neither can the amount of revenue derived from a station be used as a measuring stick. The number of shippers affected, the nature of the commodities shipped or received, the distance to other agencies and the convenience of the general public are matters to be taken into consideration.

In this instance the gap between expenses and revenue is unduly wide. It seems to us every contingency is met by the applicants in their method of providing non-agency service.

Giving full consideration to these matters and to the evidence of record we are of the opinion, and so find, that maintenance of the applicants' agency is not compensatory; that the number of transactions at the Belden 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.

O R D E R

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

IT IS ORDERED that The Western Pacific Railroad Company and Railway Express Agency, Inc. are hereby authorized to close and abandon their respective agencies at Belden, California, and to change their 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. Applicants shall provide storage under lock at said station for less-than-carload freight shipments, and shall provide a key to said storage space to be kept at a convenient location nearby and shall maintain notice at such station advising patrons where the key may be secured.
4. Applicants shall within thirty (30) days thereafter notify this Commission in writing of the discontinuance of the agency service heretofore authorized, and of its compliance with the conditions of this order.
5. The authorization herein granted shall lapse if not exercised within ninety (90) days after the effective date of this order, unless an extension of time is subsequently granted.

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

Dated at San Francisco, California, this 9th day of June, 1952.

R. J. [Signature]
President
Justice F. [Signature]
[Signature]
[Signature]

Commissioners