

Decision No. 51229**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 SOUTHERN PACIFIC COMPANY for authority )  
 to discontinue agency at East Oakland, )  
 County of Alameda, State of California, )  
 and to maintain said station as a non- )  
 agency. )

Application No. 36616

R. S. Myers, for applicant.  
I. S. Wilson, for the Order of Railroad Telegraphers,  
 protestant.  
Robert A. Larson, for the Brotherhood of Railway Clerks,  
 protestant.  
David H. Yessin, for American Tire Products, protestant.  
Robert Rose, for Calo Dog Food Company, as protestant.  
Edward Gallagher, for Daniel Gallagher Draying Company,  
 protestant.  
Kenneth G. Harrison, for the Commission Staff.

O P I N I O N

Southern Pacific Company, by the above-entitled application, filed January 5, 1955, seeks authority to discontinue the use of an agent at its East Oakland station. Applicant alleges that the business at such station can be handled conveniently for the shipping public without the presence of an agent, and that, therefore, the continued maintenance of East Oakland as an agency station is not warranted.

Public hearing was held before Examiner Rowe in Oakland on March 2, 1955, at which time oral and documentary evidence was adduced and the matter duly submitted.

According to the evidence of record practically all of the contacts of this agency with the public are made by the agent by post card or by telephone. This work can be done just as efficiently at near-by stations. Either the Fruitvale Station, or that at

Fifth and Kirkham Streets, can perform this service at no additional expense. Consequently, by closing the East Oakland station applicant may effect a yearly saving of approximately \$5,000. Cross-examination of protestant's witnesses revealed that their fears of inconvenience resulting from the closing are not justified. The Commission finds that discontinuance of the agency at the East Oakland station will not adversely affect applicant's service to its customers. The application will be granted.

O R D E R

Application therefor having been filed, public hearing thereon having been held, and the matter having been duly submitted,

IT IS ORDERED that Southern Pacific Company be, and it heroby is, authorized to discontinue agency service at East Oakland, Alameda County, subject to the following conditions:

- (a) It shall give not less than ten days' notice to the public of the discontinuance of agency service by posting notice thereof at said station.
- (b) Upon five days' notice to the Commission and the public applicant shall file an appropriate amendment to its tariff indicating the discontinuance of said agency.
- (c) The authorization herein granted shall expire if not exercised within ninety days after the effective date hereof unless further time is granted by subsequent order.
- (d) Within thirty days after discontinuance of service as herein authorized, Southern Pacific Company shall notify this Commission thereof and of compliance with the conditions hereinabove set forth.

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

Dated at Los Angeles, California, this 21<sup>st</sup> day of March, 1955.

Edw. E. McMillin  
President  
Justus F. Caswell  
Frank L. Lutz  
William J. Doyle  
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COMMISSIONERS