

Decision No. 55481**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 SOUTHERN PACIFIC COMPANY and of)
 RAILWAY EXPRESS AGENCY, INCORPORATED,)
 for Authority to discontinue agency) Application No. 39017
 at Wheatland, County of Yuba, State)
 of California, and to maintain said)
 station as a non-agency)

Randolph Karr & Harold S. Lentz, appearing
 for Southern Pacific Company and Railway
 Express Agency, Inc. Applicants.

I. S. Wilson, appearing for The Order of
 Railroad Telegraphers, Protestant and
 Intervenor.

Edward G. McLane, for the Commission's staff.

O P I N I O N

Southern Pacific Company and Railway Express Agency, Incorporated, by this application filed April 24, 1957, request an order of this Commission authorizing the discontinuance of the agency station at Wheatland, Yuba County, California, and the operation of said station on a non-agency status. As justification for granting the requested relief it is alleged that under the present conditions the business handled at said station does not, in the judgment of the applicants, warrant its continued maintenance. The notice of the proposed closing was duly filed with the Commission in compliance with General Order 36-B. After protests were made by certain shippers, the City of Wheatland, and others, the applicants, in accordance with the said General Order 36-B filed their formal application for authority to discontinue said station.

Public hearing was held at Wheatland, California on July 9, 1957 at which time oral and documentary evidence was presented by the applicants. All protestants withdrew their protests before the hearing except that The Order of Railroad Telegraphers appeared, as an intervenor, cross-examined the applicants' witnesses and declared its opposition to the authority requested. Aside from this cross-examination the protestant offered no evidence.

Applicants claim that the small amount of business conducted at this station does not justify the continuance of agency service. It is proposed, if abandonment is granted, to maintain the station as a class "A" non-agency station at which freight in any quantity, carloads or less, will be handled. Evidence was adduced that Southern Pacific's total operating cost exceeded its gross revenue in 1955 by \$2,379, in 1956 by \$4,065 and by \$1,203 for the first three months of 1957. Uncontradicted testimony was presented that traffic at this agency produces only enough business to occupy the services of an agent for approximately one hour a day. Applicants claim that shipper requirements will be sufficiently served as it is proposed to accommodate shippers by having industry clerks at Marysville, 13 miles northwest, and Lincoln, 11 miles southeast, handle waybills, freight bills and other shipping documents on shipments received and forwarded at Wheatland. These clerks operating out of these cities by automobile will also perform services, such as signing the bills of lading and sealing cars, on an "on-call" basis. Bills of lading will also be signed by the train crew and mailed to the customers. The key to the station freight house will be available at a local business establishment nearby the station; this will make less-than-carload freight accessible to receivers where pick-up or delivery is not involved.

Car orders can be placed by telephone with the agent at Marysville and freight cars will be spotted according to the shipper's instructions by the local train crews. Pacific Motor Transport, a corporate subsidiary of Southern Pacific, serves Wheatland, along with four other trucking common carriers, with pickup and delivery service of less-than-carload freight shipments; it is alleged such carriers provide adequate service for these purposes to and from this city. Pacific Motor Transport will also handle the traffic on the small amount of milk and cream shipments to and from this agency. Passenger traffic was discontinued in April 1957.

The record also discloses that persons desiring to send Western Union telegrams at Wheatland can ask the telephone operator for Western Union and be connected with the nearest open Class I Western Union office without additional toll charge; incoming telegrams are to be telephoned to telephone subscribers in the same manner and without additional toll charge.

It is proposed to operate Railway Express traffic out of Marysville as express business in Wheatland does not merit continued operations.

After full consideration of the evidence and the facts of record and giving considerable weight to the lack of protest by the city, the county, and the shipping public it is believed that the applicants can provide shipping facilities at Wheatland without the attendance of a local agent and can satisfy carload and less-than-carload shippers' requirements. The Commission therefore is of the opinion and finds, that the operating cost of the Wheatland agency does not justify the continued maintenance of an agency station and that freight service will not be materially affected by discontinuance of this station. The application will be granted.

ORDER

A public hearing having been held and the above matter having been duly submitted,

IT IS ORDERED that Southern Pacific Company and Railway Express Agency, Incorporated are hereby authorized to discontinue agency service at Wheatland, County of Yuba, subject to the following conditions:

- a. Southern Pacific Company shall maintain said station as a Class "A" non-agency station.
- b. Southern Pacific Company and Railway Express Agency shall give not less than ten days' notice to the public of discontinuance of agency service by posting notice at the station.
- c. The authorization herein granted shall expire if not exercised within ninety days after the effective date hereof.
- d. Within thirty days after discontinuance of service as herein authorized Southern Pacific Company and Railway Express Agency shall notify this Commission thereof and of compliance with the above conditions.

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

Dated at Los Angeles, California, this 27th day of August, 1957.

 President
Royce W. ...

R. ...

E. ...

Commissioners

Peter E. Mitchell

Commissioner Matthew J. Dooley, being necessarily absent, did not participate in the disposition of this proceeding.