

ORIGINALDecision No. 56209

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 SOUTHERN PACIFIC COMPANY for author-)
 ity to discontinue agency at Concord,)
 Contra Costa County, State of Cali-)
 fornia, and to maintain said station)
 as a nonagency.)

Application No. 39522

Harold S. Lentz, for applicant.
I. S. Wilson, for the Order of Railroad
 Telegraphers, intervenor in protest.

O P I N I O N

By this application, filed October 29, 1957, Southern Pacific Company requests an order to discontinue the agency at Concord, to remove the station building and to maintain said station as a nonagency station. As justification, it is alleged that the quantity and type of business handled at this station do not warrant its continuance and that the public can be adequately and conveniently served at adjacent agencies.

Public hearing was held in Concord on January 9, 1958, before Examiner Rowe, at which time evidence both oral and documentary was adduced and the matter was duly submitted for decision.

Intervenor's witnesses expressed doubt as to the applicant's ability to serve them with the same promptness and efficiency by means of utilizing the agency at nearby Walnut Creek. The Commission, however, finds that the agency at Walnut Creek can perform this service with substantially the same promptness and efficiency. The belief of some witnesses that a local resident will better perform this service because he is acting for his neighbors appears to be without substance. The station building is presently in need of

extensive repairs or replacement. This expense is found not to be justified and applicant will be authorized to remove the building, thus permitting the profitable leasing of the grounds. The evidence produced by applicant conclusively supports a finding which we hereby make that public convenience and necessity no longer require the maintenance of an agency in Concord.

O R D E R

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

IT IS ORDERED:

1. That Southern Pacific Company is authorized to discontinue its agency at Concord, Contra Costa County, and to remove the station building at that location, subject to the following conditions:

- a. Southern Pacific Company shall continue to maintain said station in a nonagency status.
- b. Within ninety days after the effective date hereof, and on not less than ten days' notice to the Commission and to the public, applicant shall post a notice of such discontinuance at the station, shall file in duplicate amendments to its tariffs showing the changes authorized herein, and shall make reference in such notice and tariff to this decision as authority for the change.
- c. Within thirty days after discontinuance of service as herein authorized, applicant shall notify this Commission thereof and of compliance with the above conditions.

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

Dated at San Francisco, California, this 4th day of FEBRUARY, 1958.

[Signature]
 President
[Signature]
[Signature]
[Signature]

Rox Hardy
 Commissioner....., being
 -2- necessarily absent, did not participate
 in the disposition of this proceeding.