

Decision No. 56488

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 SOUTHERN PACIFIC COMPANY for author-)
 ity to reduce agency service at)
 Westley, County of Stanislaus, State)
 of California, and to maintain said)
 station as a seasonal agency station,)
 and of RAILWAY EXPRESS AGENCY,)
 INCORPORATED, for authority to dis-)
 continue agency at Westley, County)
 of Stanislaus, State of California.)

Application No. 39691

Harold S. Lentz and Randolph Karr, for applicants.

I. S. Wilson and W. E. Fisher, for The Order of Railroad Telegraphers, protestant.

O P I N I O N

By this application filed January 2, 1958, Railway Express Agency, Incorporated, requests authority to discontinue agency at Westley and Southern Pacific Company requests an order authorizing it to reduce its agency service at this point to a seasonal agency to be open from approximately June 1 through November 30 of each year and to maintain said station during the remainder of each year as a Class A nonagency station.

Public hearing was held in Westley on March 11, 1958, before Examiner Rowe, at which time evidence both oral and documentary was adduced and the matter submitted for decision.

Due notice of the application and of the hearing was given the public. No appearance was made on behalf of local

residents or industries using applicants' service. The Order of Railroad Telegraphers appeared in protest and cross-examined the witnesses of applicants but introduced no evidence on its own behalf.

The Commission finds that by closing the station on a seasonal basis, Southern Pacific Company will save approximately \$2,600 annually. It is further found that public convenience and necessity no longer require agency service during the period Southern Pacific Company requests that its agency be closed, and that the volume of business which has been and which probably will be offered to Railway Express Agency, Incorporated, in the future is so inconsequential that it is found that public convenience and necessity no longer require this service at Westley.

The evidence is conclusive that Southern Pacific service will not be adversely affected by the proposed seasonal closing. No passenger service is rendered to Westley and no tickets are sold there. Only a few shipments of property would be affected. These would have to be handled through Patterson or other nearby agency stations. The distances that shippers or receivers would have to travel to these nearby agency stations would be small. As a practical matter there will be little change in service to the public. Contacts with a freight agent can be made just as effectively with the Patterson agent. The telephone is presently the medium most frequently used for this purpose. No toll charges are made for calls to Patterson.

Pickup and delivery of L.C.L. shipments are now made by Pacific Motor Trucking Company and this procedure will not be

materially affected by the partial closing. The only real public need for the local agent is during the period when large shipments of perishable products are made from this area. Carload shipments will be handled as in the past except that telephone calls will be made by and to the agent in Patterson.

O R D E R

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

IT IS ORDERED that Southern Pacific Company is authorized to discontinue its Westley agency each year from November 1 through May 31, and during said period, to maintain said station as a Class A nonagency station, and Railway Express Agency, Incorporated, is authorized to discontinue its Westley agency, subject to the following conditions:

- a. During the period from June 1 through November 30 of each calendar year, Southern Pacific Company shall maintain service as at present and during the remainder of each year as a Class A non-agency station at Westley. Railway Express Agency, Incorporated, is authorized to discontinue its agency at Westley.
- b. Within ninety days after the effective date hereof and on not less than ten days' notice to the Commission and to the public, applicants shall post a notice of such discontinuances at the station, and shall file in duplicate amendments to their respective tariffs showing the changes authorized herein, and shall make reference in such notice and tariffs to this decision as authority for the changes.

c. Within thirty days after discontinuance of service as herein authorized, applicants shall notify the 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 San Francisco, California, this 8th day of APRIL, 1958.

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

Commissioners