

Decision No. 56687**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 SOUTHERN PACIFIC COMPANY and RAILWAY)
 EXPRESS AGENCY, INCORPORATED, for)
 authority to discontinue the agency)
 and remove the station buildings at)
 San Lucas, County of Monterey, State)
 of California, and to maintain said)
 station as a nonagency.)

Application No. 39844

Harold S. Lentz and Randolph Karr, for
 applicants.

John W. Hutton, for Monterey County
 Cattlemen's Assn., Monterey County
 Farm Bureau and various Cattlemen and
 Farmers of Southern Monterey County,
 protestants.

I. S. Wilson and R. E. Ligon for The
 Order of Railroad Telegraphers,
 protestant.

O P I N I O N

By application filed February 24, 1958, Southern Pacific Company and Railway Express Agency, Incorporated, request an order authorizing them to discontinue their agencies at San Lucas, and for Southern Pacific Company to remove its station buildings, and to maintain said station as a Class A nonagency station.

Public hearings were held in San Lucas on April 8 and 9, 1958, at which time evidence both oral and documentary was adduced and the matter duly submitted for decision on April 9, 1958.

From the evidence of record, it appears and the Commission finds that public convenience and necessity no longer require the maintenance of facilities and service as an agency by either applicant at San Lucas. It is also found that public convenience and necessity no longer require the maintenance of the station buildings. An annual saving to Southern Pacific Company of approximately \$5,000

can be obtained by discontinuing this agency. By removing the station buildings the cost of maintenance and repair will be eliminated. The corrals will be continued at this location.

All the accounting functions previously performed by the agent in San Lucas were transferred to the King City agency during October, 1957. Also in said month the agent's function in giving train orders was discontinued. The protestants asserted that this transfer and discontinuance were improper and that the time previously required by the San Lucas agent to perform such functions should be treated as if still being performed by him. These actions of applicant railroad were taken under decisions which properly fall within the discretion of the management. General Order No. 36-B which creates the necessity for a public hearing on this application is restricted to matters which "reduce agency service" at a station. The only service which, under the instant application, will be reduced is that no station delivery and receipt of freight is to be effected at San Lucas in the future when this becomes a nonagency station. The pickup and delivery service in the future, as in the past, will continue to be made by Pacific Motor Trucking Company. Only persons situated more than one mile from San Lucas station, and those receiving or shipping household goods and personal effects, are to be deprived of any service. In the future these shippers and receivers will be required to take such freight to or from another station, such as King City, instead of the San Lucas station.

O R D E R

Public hearings having been held and the above matter having been duly submitted,

IT IS ORDERED that Southern Pacific Company and Railway Express Agency, Incorporated, are authorized to discontinue their agencies at San Lucas, Monterey County, and Southern Pacific Company

is authorized to remove its station buildings at that location, subject to the following conditions:

- a. Southern Pacific Company shall continue to maintain said station in a nonagency status;
- b. Applicants shall give not less than ten days' notice to the public of discontinuance of agency service by posting notice thereof at the station;
- c. Within ninety days after the effective date hereof applicants, upon not less than ten days' notice to this Commission and the public, shall file in duplicate amendments to their tariffs showing the changes herein authorized and shall make reference in such tariff amendments to this decision as authority therefor;
- d. The authorization herein granted shall expire if not exercised within ninety days after the effective date hereof;
- e. Within thirty days after discontinuance of service as herein authorized, applicants 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 13th day of May, 1958.

[Signature]
President

[Signature]

[Signature]

[Signature]

Commissioners

Commissioner C. Lyn Fox, being necessarily absent, did not participate in the disposition of this proceeding.