

ORIGINAL

Decision No. 56824

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)
at Esparto, Yolo County, State of)
California, and to maintain said)
station as a Class A nonagency)
station.)

Application No. 39638

Randolph Karr and Harold S. Lentz, for
applicants.
Shelford Wyatt, for the Esparto Lions
Club, protestant.
Wayne Cafee for himself, interested
party.

O P I N I O N

By application filed December 16, 1957, Southern Pacific Company, and Railway Express Agency, Incorporated, request an order authorizing them to discontinue their agencies at Esparto, and for Southern Pacific Company to maintain said station as a Class A nonagency station.

Public hearing was held in Esparto on May 8, 1958, before Examiner Rowe, at which time evidence both oral and documentary was adduced and the matter duly submitted for decision.

From the evidence of record it appears and the Commission finds that by closing this agency Southern Pacific Company will effect an annual saving of approximately \$5,000; that there is no longer substantial public convenience and necessity requiring service by Railway Express Agency, Incorporated at Esparto; that if the Southern Pacific Company agent is to be removed it is not feasible for Railway Express Agency to render service at this point; and that

while some shippers and receivers of freight living beyond the pickup and delivery limits of Pacific Motor Trucking Company will be inconvenienced by being required to travel to Winters some thirteen miles distant, there is not a substantial volume of such freight shipments. The Commission further finds that service to receivers and shippers of carload freight and to all those residing or being located within the delivery limits of Pacific Motor Trucking Company who receive or ship less than carload shipments of freight, will not be adversely affected by permitting the Winters' agent of Southern Pacific Company to perform agency functions for the Esparto area. No passenger service is presently rendered in this area. The Commission finds that public convenience and necessity no longer require the service by either applicant of an agent located at Esparto.

O R D E R

Public hearing having been held and the above matters having been duly submitted,

IT IS ORDERED that Southern Pacific Company and Railway Express Agency, Incorporated, are authorized to discontinue their agencies at Esparto, Yolo County, subject to the following conditions:

- a. Southern Pacific Company shall continue to maintain said station in a Class 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 to 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 in writing 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 9th day of June, 1958.

Richard E. Mitchell
President

E. J. Fox

Theodore J. Jensen

Commissioners

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