

ORIGINAL

Decision No. 57470

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 agency at)
 Ripon, County of San Joaquin, State)
 of California, and to maintain said)
 station as a Class A nonagency.)

Application No. 40213

Randolph Karr, Harold S. Lentz and J. J. Mullane,
 for applicants.
Warren E. Fisher, for Order of Railroad Telegraphers,
John M. Trimbor, for Ripon Chamber of Commerce,
Rolla L. Garretson, for the City of Ripon, and
Richard W. Dickenson, for the County of San Joaquin,
 protestants.

O P I N I O N

By this application filed June 27, 1958, Southern Pacific Company and Railway Express Agency, Incorporated, request an order of this Commission authorizing them to discontinue their agencies at Ripon, and to maintain the Southern Pacific station as a Class A nonagency station.

A public hearing was held in Ripon before Examiner Rowe on September 11, 1958, at which time evidence both oral and documentary was adduced and the matters duly submitted.

As justification for the requested relief it is alleged that under present conditions both the business handled and the type of business conducted do not warrant continued maintenance of an agency at said station, and that public convenience and necessity can best be served by discontinuing agency service there and instead transferring agency functions to Manteca.

From the evidence of record the Commission is of the opinion and finds that public convenience and necessity no longer

require either applicant to maintain an agent at Ripon. Approximately \$5,600 will be saved annually by the railroad applicant by closing the station. Depot deliveries will be effected at Manteca six and one-half miles distant.

The Manteca agent can handle all of the Ripon business just as efficiently as a local agent stationed in Ripon. The great bulk of freight movement to and from Ripon consists of carload traffic. Out of a total gross revenue for the year ending April 30, 1958 of \$89,462, the sum of \$84,179 came from carload traffic. No passenger service is performed at this point and no tickets are sold.

The testimony of protestants consisted of resolutions of the governing bodies of the County and the City expressing opposition and of the testimony of one large shipper who stated that most of his company's Southern Pacific freight was inbound and consisted of carload shipments of empty tin cans. He conceded that his outbound shipments were carried by competing highway common carriers. He indicated no way in which the proposal would inconvenience his firm.

The Railway Express Agency witness testified that the business handled at Ripon was small in volume. The gross revenue would allow payment to a merchant agent of about \$50 per month in commissions. This amount is found to be inadequate to justify any local agent assuming the burden of handling this business for the express company.

O R D E R

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

IT IS ORDERED:

1. That Southern Pacific Company and Railway Express Agency, Incorporated, are authorized to discontinue their agencies at Ripon, San Joaquin 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 one hundred twenty 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 15th day of October, 1958.

[Signature]
President

[Signature]

[Signature]

[Signature]
Commissioners