

ORIGINALDecision No. 57555

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)
 Ojai, County of Ventura, State of)
 California, and to maintain said)
 station as a nonagency.)

Application No. 40010

Randolph Karr, E. D. Yeomans, and James W. O'Brien,
 for applicants.

Frank Orr and Henry F. Libby, for Ojai Orange
 Association; Howard M. Quick, for Quick Plumbing
 Co.; Mrs. Constance R. Wash, Beatrice Wood and
H. S. McCaleb, for themselves, protestants.

Edward Geremia, for Ojai Valley Chamber of Commerce;
Harold Fay, for Ojai Lumber Co.; Martin H. Burckes,
 for Mrs. Grace Boughton, Head of Krotona Institute;
J. Julien Bazet and Allen Grimes, for the City of
 Ojai, interested parties.

Edward G. McLane and W. F. Hibbard, for the Commis-
 sion staff.

O P I N I O N

By application filed April 17, 1958, Southern Pacific
 Company and Railway Express Agency, Incorporated, request an order
 of this Commission authorizing them to discontinue their agencies
 at Ojai, Ventura County, and Southern Pacific Company to maintain
 said station as a nonagency station.

Public hearings were held in Ojai on July 22, 1958, and
 on August 26 and 27, 1958, before Examiner Rowe, at which time
 evidence both oral and documentary was adduced; on the latter date
 the matter was submitted for decision upon the filing of briefs.
 Applicant Southern Pacific Company has filed its brief but no
 briefs have been filed by protestants and the time allowed therefor
 has passed.

Applicant Railway Express Agency, Incorporated, at the commencement of the hearing moved that its application be dismissed as it intends to continue service at Ojai and will appoint an agent other than the railway station agent to act on its behalf. This motion will be granted.

Ojai is located on a branch line which extends for approximately fifteen miles between Ojai and Ventura. No passenger service is performed on this branch except that for years the baggage of persons residing in Ojai has been checked and transported free of charge beyond the point where they board or get off the train at Ventura to and from the Ojai station. However, since this service has never been covered in any applicable tariff it has been unauthorized.

One local freight train serves the area five days a week. From the evidence of record it appears and the Commission finds that the removal of the railroad agent will have little effect upon the efficiency of Southern Pacific Company's service and none upon the efficiency of its operations. Depot deliveries will be effected at Ventura. During 1957 only 16 depot shipments were made from the Ojai station, and an undisclosed number of depot deliveries involving several hundred pounds, consisting largely of clay products, were made at this point. The discontinuance of depot deliveries will result in a certain degree of inconvenience to those using this particular service, but the volume of traffic is insufficient to justify the maintenance of an agent at Ojai.

The carload movement of freight will not be adversely affected by the requested change. Pacific Motor Trucking Company will continue to render the same service. The Commission finds that

public convenience and necessity no longer require that applicant Southern Pacific Company maintain its agency at Ojai. The estimated annual saving by Southern Pacific Company is approximately \$5,400. Since this applicant proposes to handle freight in any quantity, carload or less at Ojai, if the agency is discontinued, it will be required to maintain the station in a Class A nonagency status.

The protestant Chamber of Commerce maintained that the application should be denied because the same analysis and showing as made could be made of almost any station on applicant's line. However, the Commission is of the opinion that management of the company should be permitted to choose the particular stations to be closed, provided service at those points will not be substantially impaired.

O R D E R

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

IT IS ORDERED:

(1) That Application No. 40010 as applied to Railway Express Agency, Incorporated, is dismissed without prejudice.

(2) That Southern Pacific Company is authorized to discontinue its agency at Ojai, Ventura County, subject to the following conditions:

- a. Southern Pacific Company shall maintain said station in a Class A nonagency status.
- b. Southern Pacific Company shall give not less than ten days' notice to the public of discontinuance of agency service by posting notice at the station.
- c. Within ninety days after the effective date hereof, Southern Pacific Company, upon not

less than ten days' notice to this Commission and to the public, shall file in duplicate amendments to its tariffs showing the changes herein authorized and shall make reference in such tariff amendments and said notice 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, applicant Southern Pacific Company 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 3rd day of November, 1958.

E. Lynn Fox
President

W. E. Mitchell

W. B. Stevenson

W. H. Johnson

Herbert J. ...
Commissioners