

ORIGINAL

Decision No. 57600

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 SOUTHERN PACIFIC COMPANY for auth-)
 ority to reduce agency service at)
 BUTTONWILLOW, County of Kern, State)
 of California, and to maintain said)
 station as a seasonal agency station,)
 and of RAILWAY EXPRESS AGENCY, IN-)
 CORPORATED, for authority to discon-)
 tinue agency at BUTTONWILLOW, County)
 of Kern, State of California.)

Application No. 40305

Randolph Karr and Harold S. Lentz, for applicants.
William V. Ellis, for California State Legislative
 Board, Brotherhood of Locomotive Firemen and
 Engineers; Jack Panick for Order of Railroad
 Telegraphers; George C. Parker and F. Keith
 Bleecker, for Buttonwillow Chamber of Commerce
 and Agriculture; F. Keith Bleecker for Houchin-
 Bleecker Company; and Joe C. Lewis for himself,
 protestants.

O P I N I O N

By this application filed July 30, 1958, Railway Express Agency, Incorporated, requests authority to discontinue agency at Buttonwillow and Southern Pacific Company requests an order authorizing it to reduce agency service at this point to a seasonal agency to be open from approximately October 1, to March 31, inclusive, 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 Buttonwillow on September 18, 1958, at which time evidence both oral and documentary was adduced and the matter submitted for decision as of October 8, 1958, with the right of any of the parties to file concurrent briefs on or prior to said day. Only one brief was filed, that on behalf of Railroad Brotherhoods California Legislative Board.

The Commission finds that by closing the station on a seasonal basis, Southern Pacific Company will save approximately

\$2,300 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 it is found that the volume of business and the resulting revenue which have been, and which probably will be offered to Railway Express Agency, Incorporated, in the future, are so inconsequential that public convenience and necessity no longer require this service at Buttonwillow.

The evidence is conclusive that Southern Pacific service will not be materially affected adversely by the proposed seasonal closing. No passenger service is rendered at Buttonwillow and no tickets are sold there. Only a few depot shipments of parcels will be affected. These will be handled through Bakersfield or other nearby agency stations. Contact with a freight agent can be made by calling toll free to Bakersfield.

Pickup and delivery of less than carload freight is now and will continue to be made by Pacific Motor Trucking Company and this procedure will not be changed substantially by the partial closing. Carload shipments will be handled as in the past except that toll free telephone calls for cars or service will be made to the agent in Bakersfield. The type of freight handled has resulted in very few damage inspections; only one during the twelve months ending May 31, 1957, and three during the next such period.

With the Southern Pacific agency closed a large part of each year, it will hereafter be impossible for Railway Express Agency, Incorporated, to avail itself of the railroad freight agent there.

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 Buttonwillow agency each year from April 1, to September 30, inclusive, and during said period, to maintain said station as a Class A nonagency station, and Railway Express Agency, Incorporated, is authorized to discontinue its Buttonwillow agency, subject to the following conditions:

- a. During the period from October 1 through March 31 of each calendar year, Southern Pacific Company shall maintain service as at present and during the remainder of each year as a Class A nonagency station at Buttonwillow.
- 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 file in duplicate amendments to their respective tariffs showing the changes authorized herein, and shall make reference in such notice and tariff amendments to this decision as authority therefor.
- 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 10th day of November, 1958.

C. L. Fox
President

John E. Mitchell

Ray J. Tuttle

Walter A. Galt

Richard J. Jenner
Commissioners