

ORIGINAL

Decision No. 58219

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SOUTHERN PACIFIC COMPANY for authority to abandon stock corrals at Mission Road - Alhambra Shop Grounds in the City of Los Angeles, County of Los Angeles, State of California.

Application No. 40496

Randolph Karr, E. D. Yeomans and James W. O'Brien,  
for applicant.  
Arthur R. Gee, Edwin N. Wood and Clyde C. Sherwood,  
for the California Cattlemen's Association,  
protestant.

O P I N I O N

By this application filed October 9, 1958, applicant requests an order of the Commission authorizing it to abandon and remove the stock corrals and appurtenances thereto now maintained by it at Los Angeles, California, located on its Mission Road - Alhambra Shop Grounds property.

Public hearings were held in Los Angeles on January 13, 1959, and on March 12, 1959, before Examiner Rowe at which time evidence was adduced and the matter duly submitted for decision.

Applicant produced evidence to the effect that it can perform its statutory duty of furnishing feed, water and rest to livestock being transported by it either at its own corrals at Colton or at the Los Angeles Union Stock Yards in Los Angeles.

The Union Stock Yards, according to the testimony, are a more convenient and appropriate terminal point than the corral herein sought to be abandoned. This corral, it was stated, has not

been used for terminal purposes for over two years, and has recently been removed to make way for other facilities.

The use of corrals in this area, according to applicant's witnesses, is primarily required for animals, consisting of so-called feeder cattle being shipped from points in Utah, Nevada, Texas, Oklahoma, Arizona, Mexico and other similar points to grazing lands in the general area of Kern, San Luis Obispo, Santa Barbara and other nearby counties. They stated that Los Angeles is a logical point for feeding, watering and resting the livestock which is thereafter transferred after a long ride on a through Southern Pacific train or from other railroads to Southern Pacific Company trains for carriage to their destination on the coastal or valley grazing areas.

Applicant introduced evidence indicating its intention, in the near future, to entirely by-pass the Los Angeles metropolitan area with such shipments of freight destined to San Joaquin areas. Rights of way have at present been acquired for this alternate route which, according to applicant's witnesses, will enhance the feasibility of using the Colton corrals and speed the movement of cattle, and at the same time obviate much of the need for feeding, watering, and resting the livestock in Los Angeles. Furthermore, convincing evidence was introduced that the cost of land for corral purposes is prohibitive in the Los Angeles area.

Protestant offered evidence to the effect that this movement of feeder cattle through the Los Angeles area is very substantial and that its satisfactory performance is of public benefit, so far as protestant's interests are concerned. In an effort to substantiate its position that applicant had not borne the burden of proving that public convenience and

necessity no longer require it to maintain its own stock corral in Los Angeles, protestant's witnesses testified that in their opinions the Los Angeles Union Stock Yards, being designed and operated primarily as a means of marketing livestock, cannot properly serve also as a place for feeding, watering and resting animals. The opinion was expressed that due to the confusion caused by the inspection by possible purchasers of cattle the animals are made nervous and prevented from relaxing and sleeping. The water troughs are described as not automatically controlled, because for selling purposes water and food should at times be withheld from the stock. This introduction of the human element was said to open the possibility of neglect, although there is no evidence of actual neglect. Also, it was stated that animals arriving in Los Angeles by Southern Pacific are required to be moved additional distances, with the consequent possibility of damage by starting and stopping the train. The latter factor was largely discounted by the testimony that cattle arriving in Los Angeles by either the Santa Fe or Union Pacific would be required to travel the same longer distance to be taken care of at the Mission Road - Alhambra corrals.

Considering all of the record, the Commission is of the opinion and finds that public convenience and necessity no longer require the operation and maintenance by Southern Pacific Company of its corrals formerly located at its Mission Road - Alhambra Shop Grounds. The testimony to the effect that sometime in the future the Union Stock Yards would also be abandoned is too indefinite to be considered determinative in this proceeding.

O R D E R

Application therefor having been filed, public hearings having been held and the Commission being advised in the premises,

IT IS ORDERED:

That Southern Pacific Company is authorized to abandon and remove the stock corrals and appurtenances thereto heretofore maintained by it at Los Angeles, California.

The effective date of this decision shall be twenty days after the date hereof.

Dated at San Francisco, California, this 7th day of April, 1959.

E. L. Fox  
President  
W. H. ...  
Matthew ...  
Theodore ...  
Ernest ...  
Commissioners