

ORIGINALDecision No. 58357

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
 SOUTHERN PACIFIC COMPANY and RAILWAY)
 EXPRESS AGENCY, INC., for authority)
 to discontinue agency at GUASTI,)
 County of San Bernardino, State of)
 California, and to maintain such)
 station as a nonagency.)

Application No. 40754

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

O P I N I O N

By application filed January 19, 1959, the Southern Pacific Company and the Railway Express Agency, Inc., request authority to discontinue their agencies at Guasti in San Bernardino County, California.

Public hearing was held in Ontario on April 7, 1959, before Examiner Rowe, at which time evidence both oral and documentary was presented by applicants. Although due notice of the hearing was given to the public, no one appeared in protest.

According to the uncontradicted evidence, Southern Pacific Company will render the same service or an improved service to the public by the use of agency personnel at Colton, rather than by the present agent at Guasti. Colton is 15.2 miles east of Guasti.

The Station Supervisor testified that at Colton there is a competent agent who has a large staff, twenty-four of whom devote their time to freight matters, two of whom handle the passenger business. He further stated that while the Guasti agency is now open from 8:00 a.m. to 5:00 p.m. five days per week, with an hour out for lunch, the agency at Colton is open continuously with some of the personnel always present to handle the shipping needs of the public.

According to the Senior Assistant Station Supervisor of the Los Angeles district, the Guasti agent performs no functions with regard to the operation of the trains. The freight trains which serve Guasti arrive and leave empty cars and take away the loaded cars during the night when the agent is not on duty.

A witness employed by Pacific Motor Trucking Company testified that the affiliated company presently operates independently of the Guasti agent, whose only function performed for said company during the last two years consisted of the handling of one depot delivery of less-than-carload freight.

According to the railroad's Transportation Analyst, during 1957 three hundred and sixty-six carloads of freight originated at Guasti and 139 terminated there, while nine tons of less-than-carload freight originated there and two tons of such traffic arrived there, with a total gross revenue to Southern Pacific Company of \$200,482; and for the next calendar year the carloads were 296 and 88, respectively, 21 tons of less-than-carload freight going and 14 coming, the gross revenue \$263,010. By closing this agency, he estimates the average annual saving will be approximately \$5,900.

The Division Superintendent of the Railway Express Agency testified that the total gross revenue of that company from Guasti business in 1956 amounted to \$494.28, and in 1957 to only \$202.14. He also referred to the fact that this applicant has its own office and agent in Ontario only 3½ miles distant. He stated that in his opinion it was impossible to procure the services of a local merchant agent on a commission basis and that to maintain an agency and separate office would not only be prohibitively expensive but almost unneeded by the public.

The Commission finds as a fact that public convenience and necessity no longer require that either the Southern Pacific Company or the Railway Express Agency, Inc., continue their agencies at Guasti.

Since Southern Pacific Company does not propose to reduce any service to the public, but will handle freight in any quantity, carload or less, it will be required to maintain the Guasti agency in a Class A, nonagency status.

O R D E R

Public hearing having been held and the matter having been duly submitted for decision,

IT IS ORDERED:

1. That the Southern Pacific Company and the Railway Express Agency, Inc., are authorized to discontinue their agencies at Guasti, San Bernardino County, subject to the following conditions:

- a. That Southern Pacific Company shall maintain said station in a Class A, nonagency status.
- b. That within ninety days after the effective date hereof and not less than ten days prior to the discontinuance of the agency service, applicants shall post notice of such discontinuance at the station.
- c. That, 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 herein authorized and shall make reference to this decision in such tariff amendments as authority therefor. In no event shall the agent be removed pursuant to this order earlier than the effective date of the tariff filings required hereunder.
- d. Within thirty days after discontinuance of service as herein authorized, applicants shall notify the 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 5th day of May, 1959.

[Signature]
 President

[Signature]
 Commissioner

[Signature]
 Commissioner