

ORIGINALDecision No. 58686

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 THE WESTERN PACIFIC RAILROAD COMPANY
 and RAILWAY EXPRESS AGENCY, INCORPORATED
 for authority to reduce the agency
 station at Loyalton, Sierra County, to
 nonagency status.

Application No. 40900

Walter G. Treanor, for applicants.

Gordon I. Smith, District Attorney, for Sierra
 County and Leonard L. Green, for Sierra
 County Chamber of Commerce, interested
 parties.

O P I N I O N

The Western Pacific Railroad Company and Railway Express Agency, Incorporated, filed this application on March 5, 1959, seeking authority to discontinue their joint agency at Loyalton. Public hearing was held before Examiner John Power at Loyalton on May 7, 1959, and the matter was submitted.

Loyalton is located in the Sierra Nevada Mountains in Sierra County. It is served by a Western Pacific branch that leaves the main line at Hawley, seven miles east of Portola and runs thirteen miles to Loyalton. Portola, Plumas County, is the division headquarters for this area.

Trains on the Loyalton branch resemble switching operations. The movements are at yard speeds. There have not been two trains on the branch at one time since 1957. When the Feather River Lumber Company's mill at Loyalton is in operation the service is rendered three times a week. At other times it is on call.

No passenger tickets were sold at Loyalton in 1957 or 1958. Railway Express Agency traffic amounted to \$1,009.80 in 1957 and \$802.90 in 1958. It is proposed that the Portola station force will take over car orders and billing. Collect telephone calls will be accepted at that point. Railway Express Agency will also serve from its Portola Agency, notifying Loyalton residents by mail of the receipt of packages.

Representatives of the County of Sierra and the County Chamber of Commerce appeared at the hearing. They had no objection to withdrawal of the agent provided the freight service, itself, was continued. A representative of the lumber company was also in attendance.

The Commission finds that public convenience and necessity no longer require that applicants maintain their respective agencies at Loyalton.

ORDER

A public hearing having been held and based upon the evidence therein adduced,

IT IS ORDERED that The Western Pacific Railroad Company and Railway Express Agency, Incorporated, are authorized to discontinue their respective agencies at Loyalton, Sierra County, subject to the following conditions:

- a. The Western Pacific Railroad Company shall maintain said station in a nonagency status.
- b. Within ninety days after the effective date hereof and on not less than ten days prior to the discontinuance of the agencies at Loyalton, applicants shall post a notice of such discontinuance at the station and, 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 tariffs showing the change authorized herein and shall make reference in such notice and tariffs to this decision as authority for the changes. In no event shall the agent be removed pursuant to the authority hereinabove granted earlier than the effective date of the tariff filings required hereunder.

- c. 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 decision shall be twenty days after the date hereof.

Dated at San Francisco, California, this 29th day of June, 1959.

[Signature]
President
[Signature]
[Signature]
[Signature]
Commissioners