

Decision No. 59470

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
THE ATCHISON, TOPEKA AND SANTA FE  
RAILWAY COMPANY, a corporation, and  
RAILWAY EXPRESS AGENCY, INC., a cor-  
poration, for authority to discontinue  
agency service at its station at Ludlow,  
County of San Bernardino, State of Cali-  
fornia.

)  
Application No. 40835

Robert W. Walker and Henry M. Moffat, by Henry M. Moffat, for applicant.  
K. A. Vose, for Order of Railroad Telegraphers,  
Division No. 61, protestant.

O P I N I O N

By the application herein, filed with this Commission on February 13, 1959, The Atchison, Topeka and Santa Fe Railway Company, hereinafter referred to as "Santa Fe", and Railway Express Agency, Inc., hereinafter referred to as "Agency", request authority to abandon their agency station at Ludlow, San Bernardino County, California.

A public hearing on the application was held on November 6, 1959, in Ludlow before Examiner Kent C. Rogers. Prior thereto, notice of the hearing was published and posted as required by this Commission. The only protestant, noted above, presented no evidence.

The Ludlow station was constructed circa 1890. All types of traffic, including passenger, freight and express,

are handled in and out thereof. There is an agent-telegrapher on duty at the station from 5 a.m. to 2 p.m., except for the lunch period, daily except Saturdays, Sundays and holidays. This agent is also the agent for Agency. The nearest agency stations on the line are at Amboy, 32 miles east of Ludlow, and at Daggett, 44 miles west thereof.

Allegedly, the termination of the agency will not affect the carload traffic. At present the appropriate documents are given to or prepared by the agent for outbound shipments. If the agent is removed, there will be a locked box on the platform for bills of lading, and cars will be ordered by the shipper from Daggett by mail or telephone. On inbound carload shipments the car will be spotted at the siding and the consignees called by telephone if the shipment is perishable, and a notice will be mailed in any event.

Very little carload traffic is handled through the station. There were two carloads outbound in 1956, none in 1957, and three in 1958. There were nine carloads inbound in 1956, nineteen in 1957, and sixteen in 1958. The gross revenue received from carload shipments originating at or destined to Ludlow was \$11,103.46 in 1957, including \$8,114.19 revenue from shipments originating or destined to other rail carrier points; \$2,939.41 in 1958, with no interline movements; and \$546.75 for the first six months of 1959. If the revenue from this traffic is apportioned 50 percent to the Ludlow station and 50 percent to an origin or destination station, or the interline carrier, the station's portion of the traffic would be one-half of this respective figure, and if 50 percent of

the local traffic and 75 percent of the interline traffic is apportioned to the station, the gross carload revenue would be \$7,580.28 in 1957, \$1,469.71 in 1958, and \$273.38 for the first six months of 1959.

The community of Ludlow is small and distant from other settled communities. Consequently, applicant's affiliate, Santa Fe Transportation Company, neither picks up nor delivers less-than-carload shipments, and at present such shipments are handled to and from the station only, i.e., platform pickup and delivery with actual transportation by rail. This traffic is very light in volume, the gross revenue amounting to less than \$200 per year. If the agent is removed, outbound shipments may be handled by one of several trucking companies operating through Ludlow or given to the railroad's conductor at the station. Inbound prepaid shipments will be left in a box on the platform at consignees' risk. Collect shipments will necessarily be routed through one of the two neighboring agency stations. Passengers will purchase tickets from the conductor on the train.

Outbound express shipments may be placed on the train by the shipper. Inbound prepaid express shipments will be left on the platform. Inbound collect express shipments will be delivered to one of the nearest agency stations. Again, this traffic could be handled by the common carriers operating through Ludlow. Less than nine express shipments per month were handled through the station during the years 1956, 1957 and 1958, and the railroad's revenue from the express traffic is very slight, totaling only \$4.89 for the first six months of 1959.

The gross revenue from all traffic received or forwarded at Ludlow was \$11,404.39 in 1957, \$3,212.47 in 1958, and \$765.61 for the first six months in 1959.

If 50 percent of all freight traffic is credited to the station, plus the entire revenue from the other types of traffic, applicant's gross revenues from the station were \$5,765.98 in 1957, \$1,667.27 in 1958, and \$470.04 for the first six months of 1959.

The operations of the station have resulted in out-of-pocket expenses in excess of gross revenue attributable to the station for the past three years. In 1957 the expenses totaled \$14,420.13; in 1958, \$7,213.59; and for the first six months of 1959 they amounted to \$3,537.39. In 1958 two agents were on duty. Thereafter only one agent has been on duty. The agent's wages are approximately \$500 per month. The estimated savings per year, if the agency is terminated, are \$7,139.87.

Systemwide, in 1957 the ratio of applicant's station expenses to the system revenues was 6.23 percent, in 1958, 6.57 percent, and in the first six months of 1959, 6.11 percent. At the Ludlow station the rate of station expenses to revenues was 250.9 percent in 1959, 432.66 percent in 1958, and 752.59 percent in the first six months of 1959. These figures are derived by attributing 50 percent of the freight revenue to the Ludlow station and 100 percent of the other revenues.

The only appearance in protest presented no evidence and developed nothing in opposition to the applicant's showing.

Upon the evidence of record, the Commission is of the opinion and finds that public convenience and necessity no longer require that either applicant maintain an agent at Ludlow, San Bernardino County, California.

O R D E R

A public hearing having been held, and the Commission having made the foregoing finding and based on such finding,

IT IS ORDERED that The Atchison, Topeka and Santa Fe Railway Company and the Railway Express Agency, Inc., are authorized to discontinue their agency at Ludlow, San Bernardino County, subject to the following conditions:

- a. The Atchison, Topeka and Santa Fe Railway Company shall continue to handle freight in any quantity, carload or less, at the Ludlow station.
- b. Applicants shall give not less than ten days' notice to the public of discontinuance of agency service by posting at the station.
- c. Within ninety days after the effective date hereof, applicants, upon not less than ten days' notice to this Commission and to the public, shall file, in duplicate, amendments to their tariffs showing the changes herein authorized and shall make reference in such tariff amendments to this decision as authority therefor.
- d. The authority 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, applicants shall notify this

Commission in writing thereof and of compliance with the above conditions.

- f. In no event shall the agent be removed pursuant to this order earlier than the effective date of the tariff filings required hereunder.

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

Dated at San Francisco, California, this 5<sup>th</sup> day of January, 1960.

[Signature]  
President

[Signature]

[Signature]

[Signature]

Theodore J. Turner  
Commissioners