

ORIGINAL

Decision No. 59675

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, for
authority to discontinue agency
service at its station at Winton,
County of Merced, State of California.

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)
) Application No. 40772
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Robert W. Walker and Henry M. Moffat, for applicant.
William L. Knecht, for Merced County Farm Bureau
and Winton Farm Center, Winton Chamber of Commerce,
protestants.
George D. Murphy, for Merced County, protestant.
Ralph O. Norton, for Order of Railroad Telegraphers,
protestant.

O P I N I O N

The Atchison, Topeka and Santa Fe Railway Company requests authority to discontinue agency service at its station at Winton, California.

A public hearing was held before Examiner Thomas E. Daly at Merced on January 6, 1960, and the matter was submitted.

Exhibit 3 indicates that the total number of carload shipments forwarded and received at Winton during the years 1956, 1957, 1958 and for the first nine months of 1959 were as follows:

<u>Carloads Forwarded</u>				<u>Carloads Received</u>			
1956	1957	1958	1959	1956	1957	1958	1959
60	70	29	14	47	25	8	6

The same exhibit indicates the following number of less-than-carload shipments forwarded and received at Winton for the same period.

<u>LCL Shipments Forwarded</u>				<u>LCL Shipments Received</u>			
1956	1957	1958	1959	1956	1957	1958	1959
10	9	14	15	404	301	187	56

Exhibits 7 and 8 indicate the following status of Winton Station in respect to revenues and expenses for the period January 1957 to December 1958 inclusive and the first six months of 1959.

	<u>1957</u>	<u>1958</u>	<u>First six mos. 1959</u>
Total Revenue	\$32,871.38	\$15,791.11	\$4,599.28
Revenue applicable to Winton (1/2 total Revenue plus Express & Western Union)	17,238.24	9,623.27	2,353.05

At the present time the agent at Winton checks the yard, signs bills of lading, and way bills, keeps demurrage records, makes switch lists for outbound cars, and renders freight bills. If the authority herein sought is granted, applicant's station at Merced, which is located 9.3 miles from Winton, will perform all the services required at Winton.

Applicant's Merced Station employs an agent, one clerk, two telegrapher-clerks and one trucker. A toll free telephone service will be provided for Winton patrons. By use of the telephone, cars will be provided and spotted. Bills of ladings may be handled by means of a way box, mail or train conductors.

Less-than-carload shipments may be handled by applicant's subsidiary, Santa Fe Transportation Company, a highway common carrier. In addition thereto the area is served by several other certificated carriers.

Telegraph messages will be handled by Western Union at its Atwater facilities, located two miles from Winton. Railway Express shipments will continue to be handled by the Express Company's merchant agent located in Winton as they have in the past.

Only one shipper witness testified. He operates a large fruit growing and packing business. His needs are seasonable and last year he used truck service for sixty-five per cent of his shipments. It is his opinion that the lack of agency service at Winton

would be an inconvenience; however, he admitted that his business needs could be handled through the Merced station.

Although the application was protested by the Winton Chamber of Commerce, Merced County, the Order of Railroad Telegraphers, the Merced County Farm Bureau and Winton Farm Center, no affirmative showing was made in support thereof.

After consideration the Commission is of the opinion that public convenience and necessity no longer require applicant's agency at Winton, California.

O R D E R

Application having been filed and the Commission being informed in the premises,

IT IS ORDERED that The Atchison, Topeka and Santa Fe Railway Company is authorized to discontinue its agency at Winton, California, subject to the following conditions:

- (a) The Atchison, Topeka and Santa Fe Railway Company shall maintain a Class A nonagency station at Winton.
- (b) Within ninety days after the effective date hereof, and on not less than ten days' notice to the Commission and to the public, The Atchison, Topeka and Santa Fe Railway Company shall post a notice of such discontinuance at the station, shall file in duplicate amendments to its tariffs showing the changes authorized herein, and shall make reference in such notice and tariffs to this decision as authority for the changes.

(c) In no event shall the agent be removed earlier than the effective date of tariff filings required under paragraph (b) hereof.

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

Dated at San Francisco, California, this 16th day of February, 1960.

Conrad P. Pease
President
John E. Mitchell
William H. Hooker
E. H. Fox
Theodore Jenner
Commissioners