

ORIGINAL

Decision No. 60649

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 En-
cinitas, County of San Diego, State
of California.

)
Application No. 40837

Robert W. Walker and Henry M. Moffat, for The
Atchison, Topeka and Santa Fe Railway Company
and Railway Express Agency, Inc., applicants.
Lloyd A. Thomas, for Cardiff-Encinitas-Leucadia
Chamber of Commerce; Lou Cetro, for El Camino
Association; J. H. Watts, for Encinitas-
Cardiff-Leucadia Multiple Listing Service;
Mr. and Mrs. Paul V. Lane and Rosa Burdick,
for Encinitas Grange 634; Robert E. Earl, for
San Dieguito Post No. 416, American Legion;
Jesse S. Cooper, for Crest Gardens;
Dalton E. Webber, for Chapel By The Sea;
and K. A. Vose, for the Order of Railroad
Telegraphers; protestants.
H. J. Heaney, for the Order of Railroad Telegraphers;
Paul Ecke and A. H. Oberg, in propria personae,
interested parties.

O P I N I O N

Applicants seek authority to discontinue their respective agencies at Encinitas, San Diego County, California. It is their contention that the portion of the public which utilizes the transportation services of the respective applicants at this station can be adequately and efficiently served at the agency station at Del Mar.

A public hearing, duly noticed by mail, publication and posting, was held at Encinitas on May 3, 1960, before Examiner Mark V. Chiesa. Oral and documentary evidence having been adduced, the matter was submitted for decision. The Commission finds as follows:

The Encinitas station is located on the main line of the applicant railway between Los Angeles and San Diego approximately 30 miles north of the latter city. The nearest agency station north of Encinitas is Oceanside, a distance of 11.7 railway miles, and on the south the nearest agency station is Del Mar, a distance of 6 railway miles. The distances along the highway between the same points are approximately 11 miles and 7 miles, respectively.

The Encinitas station was established in 1905 and at present it is manned by one agent-telegrapher five days per week, Monday through Friday. An agent and three other persons are employed at the Del Mar station seven days per week. The station is open from 6:30 a.m. to 10:30 p.m. At Oceanside the station is open 24 hours per day five days per week and between 6:45 a.m. and 2 a.m. on Saturday and Sunday. Railway Express Agency, Inc., operates its own office in Oceanside and applicant railway is its agent at Del Mar.

The present passenger service at Encinitas consists of four northbound trains, one of which stops on flag signaled by agent and the others stop conditionally to receive Los Angeles passengers. Two southbound trains stop on flag signal. Tickets are available at the station. It is proposed to curtail the northbound service to one train which will stop on flag signal by

prospective passengers or to detrain passengers from San Diego. Two southbound trains would stop by flag signal of passengers or to detrain passengers from Los Angeles. Fares would be paid to the conductor.

Concerning the freight business, the usual non-agency method of handling waybills through the use of a waybill box located at the station is proposed. Shippers who now contact the agent at Encinitas, either personally or by phone, would be required to telephone the Del Mar or Oceanside agent. Consignees would be notified by phone or card from one of said stations. Any necessary personal services would be performed by an agent or clerk from Del Mar or Oceanside.

Civic leaders, business men and others appeared in protest to the discontinuance of the agencies and testified against the proposed change, contending that present and future growth of the community, the amount of business transacted through said station and the need and convenience of an agency station justify its retention and that it would not be in the public interest to permit the closing. The agency also serves the adjacent communities of Cardiff and Leucadia.

The record shows that carload and less-carload shipments forwarded and received at Encinitas for the years 1957, 1958 and 1959 were as follows:

Carload

	<u>Forwarded</u>			<u>Received</u>		
	<u>1957</u>	<u>1958</u>	<u>1959</u>	<u>1957</u>	<u>1958</u>	<u>1959</u>
Total	26	27	29	105	111	138
Average per month	2.2	2.3	2.4	8.8	9.3	11.5

Less-Carload*

	<u>Forwarded</u>			<u>Received</u>		
	<u>1957</u>	<u>1958</u>	<u>1959</u>	<u>1957</u>	<u>1958</u>	<u>1959</u>
Total	142	104	91	1747	1195	1042
Average per month	11.9	8.7	7.6	145.6	99.6	86.8

* Subsidiary trucking company performs this service.

Railway Express Agency, Inc., shipments forwarded and received for the same three years were as follows:

	<u>Forwarded</u>			<u>Received</u>		
	<u>1957</u>	<u>1958</u>	<u>1959</u>	<u>1957</u>	<u>1958</u>	<u>1959</u>
Total	1784	1658	2125	1163	1193	1235
Average per month	148.7	138.1	177.1	96.9	99.4	102.9

The items and volume of business associated with this station for the said years are as follows:

<u>Agents and</u> <u>Agents' Paper Work</u>	<u>Year</u> <u>1957</u>	<u>Year</u> <u>1958</u>	<u>Year</u> <u>1959</u>
Number of Waybills	168	140	118
Number of Freight Bills	1806	1409	1216
Number of Pieces of Baggage	314	227	252
Number of Passenger Tickets	1525	1375	1292
Carload Traffic (No. of cars)	131	138	167
L.C.L. (No. of Shipments)	1889	1299	1133
Express (No. of Shipments)	2947	2851	3360
Damage Inspection Reports	6	5	9
Car Orders	3	3	4

Gross Santa Fe revenue derived from traffic received at and forwarded from Encinitas and station operating expenses at said station were as follows:

	<u>1957</u>	<u>1958</u>	<u>1959</u>
Revenues	\$63,152.46	\$68,592.85	\$72,312.17
Expenses	5,848.52	6,238.82	6,541.72

Applicant railroad has estimated an annual savings, on a non-agency basis, of approximately \$6,060.

The record shows and we find that applicants' business, as reflected by gross revenues derived from traffic attributable to the Encinitas station, shows an up trend; that the station is showing a small profit; ⁽¹⁾ that a considerable portion of the public would be inconvenienced by having to transact their freight business with applicants' agents or offices in Del Mar or Oceanside; and that train passengers would be left with inadequate service at Encinitas.

Having considered the matter and finding the facts as hereinabove set forth, the Commission concludes that the proposed discontinuance of said agencies is not in the public interest and therefore the application will be denied.

O R D E R

A public hearing having been held, the Commission being fully advised in the premises, and having found facts and conclusions as hereinabove set forth,

(1) Annual profit for the years 1957, 1958 and 1959 varied from \$330.01 to \$3,029.75 depending on the method used by applicant railroad in the allocation of its interline revenue (Exhibits Nos. 13a and 13b).

IT IS ORDERED that Application No. 40837 be, and it hereby is, denied.

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

Dated at San Francisco, California, this 30th day of August, 1960.

Carlotta

 President

Arthur L. Mitchell

Michael J. ...

E. Lynn ...

 Commissioners

Commissioner Theodore H. Jenner, being necessarily absent, did not participate in the disposition of this proceeding.