

**ORIGINAL**

**65134**

Decision No. \_\_\_\_\_

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, )  
 UNION PACIFIC RAILROAD COMPANY, a )  
 corporation, and RAILWAY EXPRESS )  
 AGENCY, INC., a corporation, for )  
 authority to discontinue agency )  
 service at their station at Daggett, )  
 San Bernardino County, State of )  
 California. )

Application No. 44715

John J. Balluff and Henry M. Moffat, for The Atchison, Topeka and Santa Fe Railway Company and Railway Express Agency, Inc.;  
Wm. Irl Kennedy, for Union Pacific Railroad Company; applicants.  
J. W. Fitzgerald and J. A. Bellomy, for Order of Railroad Telegraphers, protestant.  
Lloyd C. Young, for the Commission's staff.

O P I N I O N

By this application, as amended, The Atchison, Topeka and Santa Fe Railway Company, Union Pacific Railroad Company and Railway Express Agency, Inc., seek authority to discontinue their joint agency at Daggett, San Bernardino County.<sup>1</sup> Santa Fe also seeks authority to remove the Daggett station building, which it owns. Santa Fe and Union Pacific propose to continue Daggett as a non-agency station.

Public hearing was held before Examiner Bishop at Barstow on October 18, 1962. With the filing of an amendment to the application on October 22, 1962, the matter was taken under submission.

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<sup>1</sup> Applicants will sometimes hereinafter be referred to as "Santa Fe", "Union Pacific" and "Agency", respectively.

Evidence in support of the application was offered through seven railroad witnesses and one Agency witness. A single witness testified on behalf of protestant, Order of Railway Telegraphers. A transportation engineer from the Commission's staff assisted in the development of the record.

Daggett is located on the main line of Santa Fe and Union Pacific, nine miles east of Barstow. By agreement Union Pacific trains between Southern California and eastern points operate over the rails of Santa Fe between Riverside and Daggett. Thus the latter station is the junction point of the two roads at the easterly end of the joint track segment. The nearest agency station to the west is Barstow, a joint agency of the rail applicants. To the east the nearest agency stations are Yermo, on the Union Pacific, and Amboy, on the Santa Fe, at distances of approximately 5 miles and 76 miles, respectively.

That portion of the Santa Fe on which Daggett is located is equipped with automatic block signals and train movements are directed by train order. The Union Pacific line east of Daggett is equipped with centralized traffic control (C.T.C.). Prior to September 13, 1961, three telegraphers were employed at Daggett, an agent-operator during the day and one operator each for the second and third tricks. This around-the-clock arrangement, the record indicates, was required for the operation of the interlocking plant which permitted the Union Pacific trains to enter or leave the Santa Fe tracks.

On September 13, 1961, the station building at Daggett was destroyed by fire. A temporary office was set up for the handling of trains by manual block system, but all other agency functions, including such matters as the signing of bills of lading,

preparation of freight bills, and handling of express shipments were temporarily transferred to the agency at Barstow.

As soon as it could be arranged, the control of interlocking switches and signals at Daggett was transferred to the east tower at Barstow. A small building, less than ten feet square, was brought to Daggett and set up as a station to replace the one which had burned down and the agency was restored. Service is maintained with a single agent-operator and the office is open only during the normal daytime hours.

Although Daggett is technically a train order station, the record shows that, under the circumstances which have prevailed since September, 1961, train orders are not received at that station and that no useful purpose is served by maintaining Daggett as a train order office.

The record further shows that very little freight traffic originates or terminates at Daggett. In the first six months of 1962 the total volume consisted of two inbound carload shipments via Union Pacific and two inbound less-than-carload shipments via Santa Fe. Since the fire, all express shipments have been handled by Agency's personnel at Barstow. In recent years no passenger tickets have been purchased at Daggett.

Prior to the fire, traffic originating and terminating at six non-agency Santa Fe stations located east of Daggett was under the jurisdiction of the agent at that point.<sup>2</sup> After the fire the control of these shipping points was transferred to the agent at Barstow, where it currently remains.

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The stations in question are Cool Water, Gale, Minneola, Newberry, Hector and Ludlow. The last-named point, being the most distant, is 44 miles east of Daggett.

At West Yermo, about two miles northeast of Daggett on the Union Pacific rails, is located a United States Marine Corps Supply Center. It is a non-agency station for both Union Pacific and Santa Fe, under the control of the agents of those carriers at Yermo and Daggett, respectively. A clerk is maintained there jointly by the rail lines. He brings the Santa Fe bills of lading to the agent at Daggett for signature and processing. The agent's duties with respect to this traffic, however, are much less than normal, since all revision of waybills is done by the road's general accounting office, and none of the revenue relating to said traffic is taken into the Daggett agent's accounts. The volume of West Yermo traffic via Santa Fe is substantial. The record indicates, however, that the duties now performed by the Daggett agent in connection with said traffic could be transferred to the Barstow agency without the necessity of hiring additional employees at the latter point, and without added inconvenience to the Marine Corps.

Santa Fe estimates that discontinuance of the Daggett agency will result in net annual savings to that carrier of approximately \$7,000. A corresponding figure for Union Pacific was not developed. However, a witness for that company presented figures indicating that operation of the station as an agency resulted in a loss to his company of \$510 during the first six months of 1962.

As previously mentioned express shipments have, continuously since the station fire, been handled through the Agency's Barstow office. During the first eight months of 1961 inbound and outbound shipments together at Daggett averaged 16.8 per month, with average revenue of \$14.07 per month. No collection

and delivery service was provided at that point. According to the Agency witness, the negligible volume of traffic involved would not justify the extension of such service to Daggett by the Agency's Barstow trucks.

Order of Railway Telegraphers was the sole protestant. This organization offered testimony through the superintendent of a company which operates a clay mine at Hector, on the Santa Fe. As hereinbefore stated, this is a non-agency station which was formerly under the jurisdiction of the agent at Daggett, but since the fire has been under that of the Barstow office. Hector is located 24 miles east of Daggett and 33 miles east of Barstow. The witness stated that his company preferred to do business with one Santa Fe employee at Daggett rather than with several different employees at Barstow. Car orders are placed by telephone with the Barstow office and one of the mining company employees who resides in Barstow takes the bills of lading from the mine to the railroad office at that point on his way home each day. It appears that these practices would continue in event of denial of the application herein, since there is no public telephone connection in the existing Daggett station building, and since Hector would continue under the jurisdiction of the Barstow agency. No change in this latter arrangement is contemplated by Santa Fe.

Upon consideration of all the evidence, the Commission finds that public convenience and necessity do not require Santa Fe, Union Pacific and Railway Express Agency to continue their respective agencies at Daggett and Santa Fe and Union Pacific should maintain said station as a non-agency station for the receipt and delivery of carload and less-than-carload freight. The following order will so provide.

We further find that removal by Santa Fe of the station building at Daggett will not be adverse to the public interest.

O R D E R

IT IS ORDERED that:

1. The Atchison, Topeka and Santa Fe Railway Company, Union Pacific Railroad Company and Railway Express Agency, Inc., are authorized to discontinue their respective agencies at Daggett, San Bernardino County, subject to the following conditions:

- (a) The Atchison, Topeka and Santa Fe Railway Company and Union Pacific Railroad Company shall maintain said station in a non-agency status for the receipt or delivery of freight in any quantity, carloads or less.
- (b) Within one hundred twenty days after the effective date hereof and not less than ten days prior to the discontinuance of the agency at Daggett, The Atchison, Topeka and Santa Fe Railway Company, Union Pacific Railroad Company and Railway Express Agency, Inc., shall post a notice of such discontinuance at the station and, within one hundred twenty 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 and Union Pacific Railroad Company shall file in duplicate and Railway Express Agency, Inc., shall file in triplicate amendments to their tariffs showing the changes 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, The Atchison, Topeka and Santa Fe Railway Company, Union Pacific Railroad Company and Railway Express Agency, Inc., shall notify this Commission in writing thereof and of compliance with the above conditions.

2. The Atchison, Topeka and Santa Fe Railway Company is authorized to remove its station building at Daggett, San Bernardino County, subject to the following condition:

Removal of said station shall not be accomplished prior to the fulfillment of the condition set forth in subparagraph (c) of the first ordering paragraph hereof, and shall be accomplished within sixty days after the fulfillment of said condition.

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

Dated at San Francisco, California, this 26<sup>th</sup> day of MARCH, 1963.

George H. Hoover  
President

John A. ...

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Frederick B. Helberoff

William W. ...  
Commissioners