

Decision No. 66380

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 THE WESTERN PACIFIC RAILROAD COMPANY)
 for authority to reduce its agency)
 stations at San Leandro, Hayward,)
 and Pleasanton, all in Alameda)
 County, to nonagency stations, and)
 to consolidate the agency services)
 at Fremont in Alameda County.)

Application No. 45525
 Filed June 17, 1963

Walter G. Treanor, for applicant.
W. A. Struthers, for the City of Pleasanton;
H. A. Sullivan, for the Order of Railway
 Telegraphers, protestants.
E. A. McMillan and F. D. Hillyer, for State
 Legislative Committee, Brotherhood of
 Railway Clerks, interested party.
Harry Paul Cochran, for the Commission staff.

O P I N I O N

By this application The Western Pacific Railroad Company requests an order of this Commission authorizing it to reduce the stations of San Leandro, Hayward and Pleasanton from agency to non-agency stations and to thereafter consolidate all of the agency work conducted therefrom and conduct it from the Fremont station.

Public hearings were held in Hayward before Examiner Rowe on October 8 and 9, 1963, and on the latter date the matter was duly submitted.

According to the testimony of applicant's witnesses all of the stations are in need of substantial repair and remodeling, and plans have been prepared and monies appropriated for a new and modern station building in Fremont to house the personnel whose task will be to service the needs of the shipping public in this area, now served from the four towns. One agent will be stationed

in Fremont and the other employees will go directly in radio-equipped trucks to shippers and receivers in order to receive their shipping instructions, issue bills of lading and other required documents as well as make inspections of damage and otherwise attend their needs.

Protestants attempted to show that the needs of the public in the three towns where agencies are sought to be discontinued, would be adversely affected by such a change. The City of Pleasanton sought to show that conditions in its general area were different from those in the larger towns of Hayward and San Leandro and that consequently the agency at Pleasanton should be continued.

From a review of all the evidence of record, the Commission is of the opinion and finds that the entire area involved can be served better by the proposed method than is presently being done by the four agents who are now housed at the four stations. It is also found that Pleasanton is no different in substantial degree from the two larger cities of Hayward and San Leandro and consequently the entire area can be better served from the Fremont station. The Commission further finds that public convenience and necessity no longer require the maintenance by The Western Pacific Railroad Company of its agencies at San Leandro, Hayward and Pleasanton, provided this area is served in the manner proposed from the Fremont agency. The Commission concludes that the application should be granted as provided in the following order.

O R D E R

IT IS ORDERED that:

1. The Western Pacific Railroad Company is authorized to discontinue its agencies at Hayward, San Leandro, and Pleasanton, in Alameda County, subject to the following conditions:

- a. Applicant shall maintain said stations in a nonagency status for the receipt and delivery of freight in any quantity, carload 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 agencies at San Leandro, Hayward and Pleasanton, applicant shall post a notice of such discontinuance at the stations 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 applicant 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. In no event shall any of the agencies be removed, pursuant to this 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, applicant shall, in writing, notify the Commission thereof and of compliance with the above conditions.

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

Dated at San Francisco, California, this 26th day of NOVEMBER, 1963.

William G. Arnold
President

Earl E. Mitchell

Robert R. [unclear]

George G. Hoover

Fredrick B. Hallock
Commissioners