

ORIGINALDecision No. 67430

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 SOUTHERN PACIFIC COMPANY for authority)
 to discontinue agency at COTTONWOOD,)
 County of Shasta, State of California,)
 and to maintain said station as a)
 Class A nonagency station.)

Application No. 46311
 (Filed March 24, 1964)

Randolph Karr and Harold S. Lentz, for applicant.
L. C. Smith and George L. Morrow, for Cottonwood
 Chamber of Commerce and the Order of Railway
 Telegraphers, protestants.
Kenneth G. Soderlund, for the Commission staff.

O P I N I O N

This application was heard before Examiner Rowe at Cottonwood on May 13, 1964, on which date it was submitted. Copies of the application and the notice of hearing were served in accordance with the Commission's procedural rules.

Applicant requests authorization to discontinue its agency at Cottonwood, Shasta County, California. The company produced five witnesses who testified the agent is no longer needed at this point and that the public can be better served from the nearby agency at Anderson. Anderson is five miles distant and there the company has an agent and three industrial clerks. A clerk will go by automobile to Cottonwood each morning and afternoon to service the shippers and to prepare and deliver bills of lading and other required documents, make damage inspections and perform all other necessary services. The agent at Cottonwood presently spends about one hour per day performing his work although applicant must pay him for the eight hours he is required to be on duty. Because this is no longer a train

order station the agent has no responsibility or function with regard to the movement of the trains. No passenger trains stop at this station. As stated, about one hour daily is actually spent in performance of agent's duties and the balance in the performance of work for other companies such as Western Union and Pacific Motor Trucking Company, or being available to answer questions of customers.

Protestants, questioning the accuracy of the applicant's estimate of the time required in company work, subpoenaed the agent, and he testified that during the last few days his duties as railway agent occupied approximately fifty minutes or less per day. The company will accomplish an annual saving of approximately \$6,118, by discontinuing the agency.

All less-than-carload freight is moved by Pacific Motor Trucking Company to and from Cottonwood. The railroad transports freight only in carload lots in this area. Protestants expressed doubts as to whether an agent at another location five miles distant would take the same personal interest in the problems of Cottonwood. One protestant who occasionally drove cattle over the crossing at Cottonwood expressed the view that he would prefer to have the Cottonwood agent telephone the dispatcher at Roseville to advise when trains were due, so he could move his cattle over the railroad tracks in safety. He conceded it would not be difficult to call the Anderson agent without toll for this information, but since he went by the Cottonwood station anyhow he preferred stopping in and having the local agent place the calls for him.

The Commission finds that all agency functions can be performed by the agency at Anderson without any increase in personnel and that public convenience and necessity no longer

require the maintenance by Southern Pacific Company of an agency at Cottonwood, and therefore it concludes that the application should be granted.

O R D E R

IT IS ORDERED that:

1. Southern Pacific Company is authorized to discontinue its agency at Cottonwood, Shasta County, subject to the following conditions:

- (a) Southern Pacific Company shall maintain said station in a nonagency 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 Cottonwood, Southern Pacific Company 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, applicant shall file in duplicate amendments to its tariffs showing the change 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, applicant shall, in writing, notify this 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 23rd day of JUNE, 1964.

[Signature] President
[Signature]
George H. Trover
Frederick B. Holchoff
 Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.