

Decision No. 67525

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of UNION PACIFIC RAILROAD COMPANY, a corporation, and RAILWAY EXPRESS AGENCY, INC., a corporation, for authority to discontinue agency service at Kelso station, San Bernardino County, State of California.

Application No. 46496
(Filed April 13, 1964)

Marshall V. Vorkink, for applicants.
A.S. Herrera, for the Order of Railroad
Telegraphers; J. Skinner and Lucille
Skinner; protestants.
Roy Hill, Superintendent of Schools, by
Ralph Bullock; interested party.
Lloyd C. Young, for the Commission staff.

O P I N I O N

Applicants request authority to discontinue their respective agency services at the Kelso Station, San Bernardino County, California.

A public hearing was held on May 21, 1964, at Barstow, California, before Examiner Rogers, oral and documentary evidence was presented, and the matter was submitted. Prior to the hearing, notice thereof was posted at the station as required by the Commission.

The applicants presented evidence in support of the allegations of the application. The agency stations nearest

to the Kelso station are Yermo 72.3 miles west and Sloan, Nevada, 79.5 miles east. At Kelso there is one agent who is the employee of both applicants.

Kelso is a station community containing approximately five buildings including the applicants' depot, a hotel and a restaurant. The station is open during usual business hours and the agent is available during said time. Two of Union Pacific's passenger trains in each direction make scheduled stops at Kelso to pick up or discharge passengers. If the agency service is discontinued applicants will place a telephone booth in the Kelso station containing a direct line to the Yermo station for the convenience of shippers ordering cars in advance. Kelso will also be classified as a prepaid station with respect to inbound shipments, and the billing with respect to said shipments will be handled at Yermo.

Exhibit A, parts 1 through 8, attached to the application, was placed in evidence. It shows that for the entire year 1963 only eleven passenger tickets were sold at Kelso, and the total revenue therefrom was \$102. If the agency is discontinued passengers boarding at Kelso will be able to purchase tickets on the train. For the year 1963 ten carloads of freight were forwarded or received at Kelso. Such shipments consisted solely of six carloads of telephone cable received and four carloads of empty telephone reels forwarded. In addition, there were two less-than-carload shipments forwarded and 36 less-than-carload shipments received. The gross revenue from all freight and passenger traffic at Kelso for the year 1963 was \$9,212, and the total expenses of

operation were \$13,713, of which amount \$6,771 represented the Kelso station expenses. Some billing for nearby nonagency stations is now done at Kelso. Included is a siding at Sands where four carloads of calves were picked up by the railroad in 1963 for one rancher. This rancher now pays the freight at the Kelso station and the Railway's representative agreed to make an arrangement for the payment of the freight at the rancher's home.

The Railway Express revenues for the year 1963 for the Kelso station totaled \$104.10. If the agency station is closed there will be a telephone available at the station and arrangements can be made to handle express either through the Yermo station or the Sloan, Nevada station for delivery of shipments. The shippers will be required to travel to an agency station to make shipments.

The San Bernardino superintendent of schools requested that the agency remain at Kelso as, according to the witnesses' statements, this is the only means of communication in an emergency for the Kelso school since there is no telephone service at the school. Regardless of the merits of this request, this does not appear to be a legitimate basis for adding expense to the railroad. The Order of Railroad Telegraphers was concerned with the elimination of the agent's job. This employee will apparently be retained due to his seniority, and possibly some junior employee will be removed from his job.

Having considered the record, the Commission finds that:

1. Public convenience and necessity no longer require that Union Pacific Railroad Company and/or Railway Express Agency, Inc., continue their respective agencies at Kelso, California.

2. Union Pacific Railroad Company should maintain such station as a nonagency station for the receipt and delivery of carload- and less-than-carload freight.

Upon the foregoing findings, the Commission concludes that the application should be granted.

O R D E R

IT IS ORDERED that:

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

- (a) Union Pacific Railroad Company shall maintain said station as a nonagency station at which freight in any quantity carload or less will be handled.
- (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 Kelso, 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, Union Pacific Railroad Company and Railway Express Agency, Inc., shall file in duplicate 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 herein.

(c) Within thirty days after discontinuance of service as herein authorized, Union Pacific Railroad Company and Railway Express Agency, Inc., shall notify this Commission in writing 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 14th day of July, 1964.

Frederick B. Hallock
President

George E. Trover

William W. Bennett

Commissioners

Commissioner Everett C. McKeage, being necessarily absent, did not participate in the disposition of this proceeding.