

69401

ORIGINAL

Decision No. _____

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 and to abandon)
 and remove station building and)
 appurtenances at Inyokern, County of)
 Kern, State of California.)

Application No. 47378
 (Filed March 3, 1965)

Harold S. Lentz, for applicant.
M. D. Isely and Bob Thompson, for Inyokern
 Chamber of Commerce; Elmer G. Studer,
 for Ridgecrest Chamber of Commerce, and
Alfred R. Louailler, for the City of
 Ridgecrest; protestants.
W. B. Lantsberger, for Mt. Whitney Lumber
 Company, and Wallace A. Turner, in propria
 persona, interested parties.
Kenneth G. Soderlund, for the Commission staff.

O P I N I O N

A duly noticed public hearing was held before Examiner Power at Ridgecrest on June 2, 1965 and the matter was submitted.

Applicant produced five witnesses, all its own employees except for one employee of Pacific Motor Trucking Company. The City Administrator of Ridgecrest and the chairman of the Traffic and Transportation Committee of the Inyokern Chamber of Commerce testified for protestants.

Inyokern is the station for the Indian Wells Valley. The total population of this Valley exceeds 20,000 persons. Slightly over half of these live on the China Lake Naval Ordnance Testing Station (called NOTS by the witnesses). NOTS is the economic mainstay of the community as a whole.

Inyokern is rather poorly located from a commercial standpoint being far out on one edge of the total community. Ridgecrest and China Lake are some eight miles east. Well over

90 percent of the inhabitants of the Valley live in the Ridgecrest and China Lake area.

No telegraph service has been rendered at Inyokern station since 1961. Passenger service was not mentioned except that certain witnesses stated that there is none and that the agency at Inyokern does not sell tickets.

In November, 1963 the Railway Express Agency, Inc. filed Application No. 45963 to remove its office from Inyokern to Ridgecrest and to provide collection and delivery service throughout the Indian Wells Valley settlements and also to NOTS and Inyokern Municipal Airport. After extensive proceedings the sought authority was granted (Decision No. 68685). Rehearing was denied on April 18, 1965 (Decision No. 68857), and Railway Express Agency now has authority to set up its new pattern of service.

At the time of the hearings on the instant application, the Southern Pacific agent at Inyokern was still serving as a joint commission agent for Railway Express Agency, Inc. His duties in the latter respect will soon cease. Southern Pacific's station supervisor testified that the express work represented 85 percent of the Agent's duties at Inyokern.

Other aspects of past or present services requiring consideration are mail, less-than-carload freight, and rate quotations and similar services (like tracing). Mail is now carried to and from this area by the Post Office Department in its own trucks. Pacific Motor Trucking Company (a wholly owned subsidiary of Southern Pacific Company) handles less-than-carload freight whether it is moving on rail or truck billings. Rating, tracing, diversions, the stopping of demurrage and similar services will be rendered by the Mojave agency of applicant. A toll-free telephone service will be made available from the Indian Wells Valley area to Mojave. Since

the Mojave agency is a seven day, twenty-four hour station, these services should, in fact, improve.

Protesting witnesses made three principal points. First, Indian Wells Valley is a growth area. Second, it would be extremely inconvenient to have the less-than-carload freight handled through Mojave which is more than an hour away by highway. Third, a witness feared that the removal of the agency from Inyokern might presage the abandonment of the branch itself.

As to the first point no one can make a satisfactory forecast. It is obvious that the naval installation is the economic prop of the area. Thus, its future will be determined by decisions of the Navy. What these may be cannot be predicted.

The second point is well taken. A protesting witness pointed out that at least two truck companies have agencies in Indian Wells Valley. He further stated, correctly, that it would be a severe hardship to have to make a round trip to Mojave to make a depot shipment. Undelivered shipments would be held up two or three days.

Southern Pacific met this contention through its Pacific Motor Trucking Company witness. He stated that his company proposes to set up an establishment in the Valley at which depot shipments can be left and where the drivers can leave undelivered inbound shipments to be picked up by the consignees. In the following order Southern Pacific will be ordered to do this. Pacific Motor Trucking Company is not before the Commission in this proceeding.

The third point, abandonment, would require authority from the I.C.C. This, in turn, would require a proceeding before that Commission. It is not before us in this proceeding.

The Commission finds that:

1. Public convenience and necessity no longer require the maintenance by Southern Pacific Company of an agency at Inyokern, Kern County.

2. Public convenience and necessity require that Southern Pacific Company establish a point in Ridgecrest or China Lake where depot shipments of less-than-carload freight can be made and where undelivered shipments of such freight can be left.

3. After the termination of the agency at Inyokern, the station buildings there will not be needed in the public service.

The Commission concludes that the application should be granted subject to the condition set forth in the following order. ✓

O R D E R

IT IS ORDERED that:

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

- a. Southern Pacific Company shall maintain said station in a non-agency status for the receipt or delivery of freight in carload lots or in quantities not exceeding 5,000 pounds.
- 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 Inyokern, Kern County, applicant 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.

2. Applicant shall not exercise the authority granted by paragraph 1 hereof unless and until a facility, conveniently located in the Ridgecrest-China Lake area, shall have been established by it for the receipt of depot shipments of less-than-carload freight and where undelivered less-than-carload shipments can be left.

3. After the authority granted by paragraph 1 of this order has been exercised and the condition hereof complied with, Southern Pacific Company may remove its station buildings at Inyokern.

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

Dated at San Francisco, California, this 13th day of JULY, 1965.

Fredrich B. Hildehoff
President

George L. Grover

Awajala

William L. Bennett
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.