

ORIGINALDecision No. 69528

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 NORTHWESTERN PACIFIC RAILROAD COMPANY)
 for authority to discontinue agency at)
 Fortuna, County of Humboldt, State of)
 California, and to maintain said station)
 as a Class "A" nonagency station.)

Application No. 47363
 (Filed February 26, 1965)

Harold S. Lentz, for applicant.
John D. Cook, for County of Humboldt, protestant.
Eugene L. Ely, Jr., for Transportation Communication
 Employees Union, interested party.
Kenneth G. Soderlund, for the Commission staff.

O P I N I O N

Applicant requests authority to discontinue agency service at Fortuna, California, and to maintain said station as a nonagency.

A public hearing was held before Examiner Porter at Fortuna on June 29, 1965, and the matter submitted.

Exhibit No. 3 shows that the gross operating revenue associated with traffic originating and terminating at Fortuna, California, for the year 1963, was \$404,301; for 1964, \$287,279 and for the first five months of 1965, \$0. The agency has been closed in 1965 due to flood damage in the area. The line was reopened to through rail traffic on June 16, 1965.

Evidence was presented that if Fortuna, California, is operated as a nonagency station and the business handled from the Eureka agency the net annual savings would be \$7,258. Patrons in the Fortuna area would be served by an industry clerk who will contact the industries to arrange for shipments. Toll-free telephone will be available at Fortuna for use of Fortuna patrons.

The agent formerly at Fortuna has transferred to another station and there is a shortage of qualified agents.

The vice president and general manager of the railroad testified that the railroad suffered approximately \$11,000,000 flood damage and strict economy must be practiced. He believes that the patrons will receive better service by use of the industry clerk. Delay in authorization to close the agency will require hiring an agent at penalty pay.

A resolution of the Board of Supervisors of the County of Humboldt opposing elimination of an agency station at Fortuna was presented.

After consideration the Commission finds that public convenience and necessity no longer require the maintenance by applicant of an agency at Fortuna, California.

O R D E R

IT IS ORDERED that:

1. Northwestern Pacific Railroad Company is authorized to discontinue its agency at Fortuna, California, County of Humboldt, subject to the following conditions:

- (a) Applicant shall maintain said station in a Class "A" nonagency status.
- (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 Fortuna, 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.

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

Dated at San Francisco, California, this 10th day of AUGUST, 1965.

Fredrick B. Holbrook
President

August

William W. Bennett

Commissioners

Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.