

ORIGINALDecision No. 69706

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 THE ATCHISON, TOPEKA AND SANTA FE)
 RAILWAY COMPANY, a corporation, for)
 authority to discontinue agency)
 service at its station at Rialto,)
 California, and to remove its station)
 building therefrom.)

Application No. 47593
 (Filed May 17, 1965)

John J. Balluff and Henry M. Moffat, by Henry M. Moffat, for applicant.

Keith A. Vose, for Transportation-Communication Employees Union, protestant.

J. R. Ritchie, for the Commission staff.

O P I N I O N

By this application The Atchison, Topeka and Santa Fe Railway Company (Santa Fe) seeks authority to discontinue agency service at Rialto, San Bernardino County, and to remove the Rialto station building.

Public hearing of the application was held before Examiner Bishop at San Bernardino on July 9, 1965. Evidence was presented by applicant through a trainmaster, a special accountant and the division superintendent of Santa Fe Trail Transportation Company.^{1/} Representatives of Transportation-Communication Employees Union and the Commission's Transportation Division staff assisted in the development of the record.

Rialto is located on the main line of Santa Fe's Los Angeles Division, between San Bernardino and Fontana. The former is located 3.6 miles east of Rialto and the latter is 3.8 miles west of the subject station. Both San Bernardino and Fontana are agency stations of Santa Fe.

^{1/} Santa Fe Trail Transportation Company, a highway common carrier, is a subsidiary of applicant.

The office at Rialto is staffed by a single employee, the agent, whose hours are from 6 a.m. to 10 a.m. and from 11 a.m. to 3 p.m. The station is closed on Saturdays, Sundays and certain designated holidays.

No passenger trains stop at Rialto, but passenger tickets may be purchased from the agent there.^{2/} No Western Union telegraph service is provided at this station. Rialto is, however, a train order office.

In the event that the application herein is granted, the trainmaster testified, all Rialto business will be transacted through applicant's San Bernardino station. The latter station has a staff of 124 employees and is open 24 hours each day, seven days per week. Rialto, he said, is included in the San Bernardino telephone exchange, so that Rialto patrons will not be assessed toll charges when calling applicant's San Bernardino office.

Carload shippers may, under the proposed arrangement, call the San Bernardino agent, who will send an employee to pick up bills of lading for outbound carloads. On request, applicant will erect a waybill box at the Rialto siding, in which shippers may place their bills of lading. The latter will be picked up by the conductor of the local freight train designated to set out empties and pick up loads. Train service which Rialto patrons now enjoy will, under the proposal herein, continue as at present. Rialto consignees of carload shipments will be notified of their arrival by the San Bernardino agent. Inspection of damaged shipments will be made by an employee from the San Bernardino office.

^{2/} Rialto passengers board or leave Santa Fe trains at San Bernardino. All of applicant's trains passing through the latter community stop there.

Less-than-carload rail shipments originating or terminating at Rialto are currently picked up or delivered by trucks of the Santa Fe Trail Transportation Company operating out of San Bernardino. Under this arrangement, the division superintendent of that company testified, door-to-door service is accorded patrons Monday, Wednesday and Friday of each week. This service, he said, will remain unchanged. Closing of the Rialto agency will have no effect on this less-than-carload service.

According to the aforesaid trainmaster, elimination of Rialto as a train order office would not affect the efficiency or safety of applicant's operations. Train orders would still be placed at San Bernardino and Kaiser (the latter point being located 6.8 miles west of Rialto).

The duties of the Rialto agent, the record indicates, do not occupy more than two and one-half hours per day. This work, the trainmaster stated, can be readily absorbed by the present San Bernardino station force.

According to exhibits prepared by the accounting witness, closing of the agency at Rialto would result in estimated annual savings of \$7,504 in wages and payroll costs. Other anticipated savings in operating expenses were not measured. These included such items as utilities, supplies, and maintenance costs and taxes on the station building, which will be dismantled.

No shippers or other patrons appeared in opposition to the granting of the application. The aforesaid employees' union appeared as a protestant. Its representative examined applicant's witnesses at some length and in a closing statement expressed the view that Santa Fe's Rialto patrons are entitled to a personalized service which, he asserted, can be accorded them only by a local agent stationed in the community.

The Commission finds that:

1. The duties assigned to applicant's agent at Rialto fall far short of requiring a full eight-hour day.
2. The station force at San Bernardino, which office is open 24 hours per day, can take over the duties now assigned to said Rialto agent and perform them satisfactorily and without impairment of the quality of service now accorded applicant's Rialto patrons.
3. Public convenience and necessity no longer require the maintenance by The Atchison, Topeka and Santa Fe Railway Company of an agency at Rialto, San Bernardino County.
4. After the termination of the agency at Rialto, the station building there will not be needed in public service.

The Commission concludes that the application should be granted.

O R D E R

IT IS ORDERED that:

1. The Atchison, Topeka and Santa Fe Railway Company is authorized to discontinue its agency at Rialto, San Bernardino County, subject to the following conditions:
 - (a) The Atchison, Topeka and Santa Fe Railway Company shall maintain said station in a non-agency 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 Rialto, San Bernardino 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 day's 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 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. After the authority granted by paragraph 1 of this order has been exercised and the conditions thereof complied with, applicant may remove its station building at Rialto.

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

Dated at San Francisco, California, this 21st day of SEPTEMBER, 1965.

Frederick B. Hallock
President

George A. Grover
Secretary

Dallanor Burnett
Commissioners