

Decision No. 70220**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Sunset Railway Company, a)
corporation, for authority to)
abandon its non-agency stations at)
Bannister, Venola, San Emidio and)
Kerto.)

Application No. 48002

And related matters.)

Cases Nos. 5432, 5436, 5438,
5440, 5603, 5604 and 7857ORDER

The verified application of Sunset Railway Company filed on October 26, 1965, discloses that no passenger or freight business has been transacted at applicant's stations of Bannister, Venola, San Emidio and Kerto, County of Kern, during the past several years and that continued maintenance thereof is not necessary.

The application was listed on the Commission's Daily Calendar of October 27, 1965. Notice of the application has been given to various parties thought to be interested and no protests have been received. A public hearing does not appear to be necessary.

It is found that public convenience and necessity no longer require the maintenance of such service.

Some motor carriers, under the alternative provisions of outstanding minimum rate orders, maintain rates which are lower than other rates established by the Commission as minimum reasonable rates. Common carriers should be directed to revise rates maintained under said alternative provisions to reflect the revised rail rates which will be published by authority of this order. The increases necessary to maintain the competitive relationships are justified.

A. 48002, C. 5432, 5436, 5438,
C. 5440, 5603, 5604 & 7857 LV

Sunset Railway Company is hereby authorized to abandon its non-agency stations of Bannister, Venola, San Emidio and Kerto, County of Kern; to eliminate said names from its station records; and to cancel all tariffs and time schedules applying at said stations on not less than five days' notice to the Commission and the public. Such tariff changes shall quote this decision number as the requisite authority. This order shall not be construed as an authorization for Sunset Railway Company to increase rates or charges. The authority herein granted to Sunset Railway Company shall expire unless exercised within sixty days after the effective date hereof.

Common carriers maintaining, under outstanding authorizations permitting the alternative use of rail rates, rates below the specific minimum rate levels otherwise applicable, are authorized and directed to increase such rates on not less than ten days' notice to the Commission and to the public to the level of the rail rates established pursuant to the authorities granted herein or to the level of the otherwise applicable specific minimum rates, whichever is lower, and that such adjustments shall be made not later than thirty days after the effectiveness of the revised rail rates.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 11th
JANUARY day of _____, 1966.

Frederick B. Hallock
President
George T. Hoover
August
William B. Smith
Commissioners