

ORIGINAL

Decision No. 71072

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 }
at Niland, County of Imperial, }
State of California. }

Application No. 48222
Filed February 1, 1966

Randolph Karr and Walt A. Steiger, for
applicant.
Donovan P. Anderson, for Order of Railway
Conductors and brakemen, protestant.
Barney H. Howell, interested party
Claude Carlock, for the Commission staff.

O P I N I O N

Southern Pacific Company seeks authority to discontinue its agency at Niland, Imperial County, California, and thereafter maintain said station as a Class A nonagency station. Applicant alleges that under present conditions both the business handled and the type of business conducted at said station do not warrant continued maintenance of an agency at Niland; that the general public can be adequately and conveniently served at the agency stations of Brawley and El Centro; and that public convenience and necessity can best be served by discontinuing the present agency at Niland.

A public hearing was held at Brawley, California, on March 17, 1966, before Examiner Robert Barnett. Notice of hearing was posted and published as required by the Commission. Prior to filing this application, applicant had complied with the provisions of General Order No. 36-B preparatory to terminating the agency.

There was one protestant and one interested party. The interested party presented testimony in opposition to the application.

On the evidence presented at the hearing, the Commission finds as follows:

The Southern Pacific Company, as part of its Yuma-Indio run, constructed its track through Niland, originally called Old Beach, in 1877. A depot was built in 1903 and the name was changed to Imperial Junction. About this same time the Inter-California Railway Company operated a line between Niland and Calexico. This line is now a part of the Southern Pacific Company system. In 1914 Imperial Junction became known as Niland. The early history of the station showed great activity but the years since 1945 record dwindling use. The cattle corral built at the turn of the century was removed in 1945; train orders were discontinued when Centralized Traffic Control was installed, 1956; track scales were removed, 1957; accounting functions were removed to Los Angeles, 1959; the three telegraphy jobs were abolished, 1960; and a 24-hour, 7-day-a-week agency was reduced to its present one-man, five-day per week, 7:00 a.m. to 4:00 p.m. operation.

In 1965 no inbound or outbound carloads of freight originated or terminated at Niland. Less than carload shipments are handled by motor carrier. The agent has no duties as to freight loss or damage claims. Two chemical companies store

freight cars on leased track at Niland but the agent has no duties with respect to this storage. The agent's service is not needed for the operation of trains in and out of the Imperial Valley. His actual work load is performed in less than one hour per day.

Applicant operates two passenger trains daily through Niland; one eastbound, one westbound. Both trains stop in the small hours of the morning when the agent is off duty. In 1964 the agent sold \$284 worth of passenger tickets; in 1965, \$438 worth. Total operating revenue, freight and passenger, generated at Niland in 1964 was \$935; in 1965, \$465.

Applicant will provide toll free telephone service from Niland to Brawley and El Centro so that persons doing business with the railroad, for either passenger or freight service and information, may contact either of these agencies. In addition, applicant will accept collect calls from Niland at its El Centro agency. This system will increase service to Niland customers as both the Brawley and El Centro agencies are larger than the one at Niland, and the El Centro agency operates 24 hours per day, seven days per week with 16 permanent employees. These employees will perform the work of the Niland agency if it is terminated. El Centro, being a multiple-employee agency, will be able to give specialized service. Freight and passenger information will be available at all times.

The agency closing will not affect U. S. mail delivery; Railway Express delivery; less than carload freight; or telegram service. The present agent on duty will be employed elsewhere on applicant's system.

Applicant estimates savings on the basis of a nonagency station at Niland will total \$8,287 per year, as follows:

<u>A. Gross Savings</u>	<u>Estimated Annual Savings</u>
1. Wages	\$ 7,484
2. Payroll taxes	717
3. Electricity	201
4. Telephone	268
5. Fuel	154
Total Gross Savings	<u>\$ 8,824</u>
<u>B. Less</u>	
1. Allowance for contingencies \$300	
*2. Auto mileage @ 9.5¢ per mile <u>237</u>	<u>537</u>
C. Estimated Net Annual Savings	\$ 8,287

* To inspect Niland depot at regular intervals.

A witness, mainly interested in passenger service, testified that in his opinion agency status should be maintained to take care of anticipated growth in the area as a vacation and health resort.

The Commission finds that adequate and convenient service is available for Niland agency users of both passenger and freight service at the Brawley and El Centro agencies and public convenience and necessity no longer requires the maintenance by the Southern Pacific Company of an agency at Niland.

The Commission concludes that the application should be granted. Applicant will be required to maintain its Niland station as a Class A nonagency station.

O R D E R

IT IS ORDERED that:

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

- (a) Applicant shall maintain said station in a nonagency status for the receipt or delivery of freight in any quantity, carload 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 Niland, Imperial 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.

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

Dated at San Francisco, California, this 2nd day of AUGUST, 1966.

[Signature]
President

George G. Hoover

Frederic W. Helldoff

August

[Signature]
Commissioners