

ORIGINAL

Decision No. 73742

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, and RAILWAY EXPRESS AGENCY, INC., a corporation, for authority to discontinue agency service at their station at Elsinore, County of Riverside, State of California, and to remove their station building therefrom.

Application No. 49529
(Filed July 7, 1967)

John J. Schimmenti, for applicants.
Edwin A. Tomlin, for Lake Elsinore Valley Chamber of Commerce;
James H. Hicks, for Transportation-Communication Employees Union; and
Sam Kalfayan, for City of Elsinore, protestants.
Eugene J. Carter, interested party.
John deBrauwere, for the Commission staff.

O P I N I O N

Applicants seek authority to discontinue agency service at Elsinore, Riverside County, California, and thereafter maintain said station as a Class A nonagency station. Applicants allege 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 Elsinore; that the general public can be adequately and conveniently served at the agency station at Corona; and that public convenience and necessity can best be served by discontinuing the present agency at Elsinore.

A public hearing was held at Elsinore on October 23, 1967 before Examiner Robert Barnett. Notice of hearing was posted and published as required by the Commission. Prior to filing this application, applicants had complied with the provisions of General Order No. 36-B preparatory to terminating the agency.

The evidence presented by applicants shows that:

1. No passenger trains serve Elsinore. Net loss from freight operations at Elsinore was \$1,915 in 1965, \$5,103 in 1966, and \$3,259 in the first half of 1967. In 1964 the principal receiver of carload freight in the area received 47 carloads. However, its business changed and its spur was removed; it no longer receives freight. Between April 1966 and March 1967 only six carloads of freight and ten LCL shipments were received at Elsinore; during the same period 28 carloads and 20 LCL shipments were forwarded from Elsinore. In 1967 only one carload of freight used the Elsinore team track.

2. There will be no change in freight service or schedules in and out of Elsinore after the removal of the station agent. Elsinore customers can obtain both freight and passenger information from the Corona agency, which can be called toll-free from the Elsinore area. The toll-free telephone number will be published in the local telephone directory. The Corona agency has men on duty from 7:00 a.m. to 11:00 p.m. to serve the public; at Elsinore the agent is on duty from 8:00 a.m. to 12:00 noon and 1:00 p.m. to 5:00 p.m., five days a week. Elsinore business can

be handled at Corona without an increase in employees. The present agent at Elsinore, who now has less than four hours of work a day to perform, will be employed elsewhere on Santa Fe's system.

3. Santa Fe Trail Transportation Company, a wholly-owned trucking subsidiary of the Santa Fe railroad company delivers to stores and businesses in Elsinore each Monday, Wednesday, and Friday when it has freight. In 1966 there were 25 shipments from Elsinore and 4 shipments into Elsinore; in the first half of 1967 there were no shipments into Elsinore and only 9 shipments from Elsinore. At present, if a consignee in Elsinore is not available the shipment is left with the station agent. If the agent is removed the shipment will be taken to Riverside and a second delivery attempted at additional charge. Considering the almost nonexistent demand for service into Elsinore the inconvenience caused by the removal of the station agent will be negligible.

4. Railway Express Agency delivers packages to consignees in Elsinore by utilizing the Santa Fe Trail Transportation Company. The REA service does not include direct delivery to the consignee; it delivers to the Elsinore station agent who, in turn, calls the consignee to pick up the shipment. In 1966 REA delivered 956 packages into Elsinore and received \$7,429 in freight revenue for the service. REA paid Santa Fe \$759 for the agent's services in 1966, which sum was included in the total revenues generated by the Elsinore station agency. If the agency is discontinued the packages destined for Elsinore will be left at Perris, a town 12 miles from Elsinore. The Greyhound Bus Company has a package

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service in and out of Elsinore with pickup and delivery at the Greyhound depot in downtown Elsinore. The Greyhound service is similar to REA's. Nationwide, REA has been in financial difficulty and is trying to divest itself of small package service such as it offers in Elsinore.

The position of the protestants is that removal of the station agent at Elsinore will result in the elimination of transportation information, telegraph service, and Railway Express service in the entire area. Also, the protestants expect that present and future growth of the Elsinore area as a recreational and residential attraction will result in a situation that will require transportation facilities and a local agency representative. Nevertheless, no person who ships or receives freight in the Elsinore area protested the application. Those who did protest did not show how the retention of a station agent at Elsinore would materially help, or serve, the growth expected in the area. Some inconvenience from the agency discontinuance will occur in regard to parcels delivered by truck to Elsinore residents, but this inconvenience is far outweighed by the expense of maintaining an agent. Alternative parcel service is available in Elsinore by Greyhound Bus and the post office. The information service now provided by the agent will actually improve when he is removed because persons needing information will be able to telephone, toll-free, the agency at Corona, which is opened for more hours and has more staff than the agency at Elsinore.

Findings of Fact

1. We adopt as a Finding of Fact paragraphs numbered 1, 2, 3, and 4 of sheets 2 and 3 of this opinion.
2. Adequate parcel service will continue to be available in Elsinore after the change in the Railway Express Agency's method of delivery.
3. Adequate and convenient service is available for Elsinore agency users of both passenger and freight service at the Corona agency station.
4. Public convenience and necessity no longer require the maintenance by applicants of an agency at Elsinore.

The Commission concludes that the application should be granted and that Santa Fe should be required to maintain its Elsinore station as a Class A nonagency station.

O R D E R

IT IS ORDERED that:

1. The Atchison, Topeka and Santa Fe Railway Company and Railway Express Agency, Inc. are authorized to discontinue their agency at Elsinore, Riverside County, subject to the following conditions:

- (a) The Atchison, Topeka and Santa Fe Railway Company shall maintain said station in a nonagency status and Railway Express Agency, Inc. shall continue service to the point of Elsinore 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 Elsinore, Riverside County, applicants 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, applicants 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, applicants 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 20th day of FEBRUARY, 1968.

[Signature]
President

[Signature]

William M. Bennett

[Signature]
Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.