

Decision No. 76856

ORIGINAL

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 reduce to nonagency)
status their station at East High-)
land, County of San Bernardino,)
State of California.)

Application No. 51409
(Filed October 7, 1969)

John J. Schimmenti, for Santa Fe Railway
Company, applicant.
James H. Hicks, for Transportation-
Communication Employees Union, and
W. J. Carl, for Gold Buckle Fruit
Exchange, protestants.
John de Brauwere, for the Commission staff.

O P I N I O N

By this application The Atchison, Topeka and Santa Fe Railway Company (applicant) seeks authority to discontinue its agency at East Highland, San Bernardino County, California. Freight only is handled at said station. Applicant alleges that public convenience and necessity no longer require the maintenance of agency service at this point.

A public hearing on the application was held in Highland on January 15, 1970, before Examiner Rogers. Notice of the hearing was posted and published as required by this Commission. Prior to the filing of the application, applicant had given notice of proposed discontinuance in accordance with the provisions of General Order No. 36-B. However, the action was suspended by the Commission because of protests.

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

The East Highland station is on applicant's Redlands Branch Line. The nearest agency station to the west (compass northeast) is Mentone, distant five miles, and the nearest agency station to the east (compass west) is San Bernardino, distant ten miles.

The station agent is the only employee. His hours are 8 AM to 5 PM Monday through Friday. There is one agent at Mentone with the same hours and days as the agent at East Highland. The San Bernardino station has four freight agents plus approximately 46 other employees, some of whom are qualified to perform a freight agent's work, and the station is open every day including holidays, 24 hours a day. The employees at either San Bernardino or Mentone will perform the work of the East Highland agent if the agency is terminated.

There is no charge for a telephone call between East Highland and San Bernardino. There is a toll charge for calls between East Highland and Mentone, but the applicant will accept toll collect calls in San Bernardino relative to freight service for East Highland, or the prospective shipper can call toll free to San Bernardino from which the call will be relayed to Mentone to the shipper with no charge.

There is one train daily, except Sunday, through East Highland. This train leaves San Bernardino at approximately 5:15 PM and arrives in East Highland between 7:30 and 8 PM after the agent has departed.

If the agency is terminated, applicant will bill the freight at San Bernardino or Mentone, whichever the shipper desires. There will be a locked freight bill receptacle in East Highland. After the freight car is loaded the shipper will place the freight bill therein. The applicant is responsible for the shipment when the car is sealed and the freight bills placed in the box for the applicant's conductors who will sign the bills.

The only change in carload service will be that the cars or service will be ordered through the San Bernardino agent rather than the East Highland agent. All orders for cars are now relayed by the local agent to the San Bernardino agent.

Less than carload traffic is handled by applicant's subsidiary, Santa Fe Trailways, a highway common carrier, which handles the freight to or from San Bernardino by local pickup and delivery trucks. Deliveries are made regularly on Tuesdays and Thursdays.

Gross operating revenues from the rail traffic originating or terminating at East Highland during the calendar years 1967 and 1968 and the first six months of 1969 were as follows:

	<u>1967</u>	<u>1968</u>	<u>First Six Months 1969</u>
Carload	\$311,395.03	\$218,251.72	\$96,248.53
L.C.L.	17.31	21.45	7.00
Express	<u>266.83</u>	<u>195.55</u>	<u>75.73</u>
Gross Revenue	\$311,679.17	\$218,468.72	\$96,331.26

The volumes of business handled at the East Highland station for the three periods referred to on the preceding page were as follows:

	<u>1967</u>	<u>1968</u>	<u>First Six Months 1969</u>
Carloads			
Forwarded	445	261	109
Received	<u>28</u>	<u>7</u>	<u>7</u>
Total	<u>473</u>	<u>268</u>	<u>116</u>
L.C.L. Shipments			
Forwarded	2	1	2
Received	<u>0</u>	<u>1</u>	<u>0</u>
Total	<u>2</u>	<u>2</u>	<u>2</u>
Total Weight of L.C.L. Shipments in Pounds	200	600	200

The total expenses for labor, health and welfare benefits and payroll taxes at the station were \$9,416.38 in 1967; \$8,960.82 in 1968, and \$4,170.09 for the first six months of 1969.

In 1967, the average number of carload shipments per month was 2.33 received and 37.08 forwarded; in 1968 the average per month was .58 received and 21.75 forwarded; and for the first six months of 1969 the average per month was 1.17 received and 18.17 forwarded.

On January 9, 1970 (Friday) and January 12, 1970 (Monday) the agent at East Highland spent a total of 30 minutes doing work relative to freight handling which would be necessarily performed at either San Bernardino or Mentone. On January 9, an additional one hour and two minutes was spent working around the station doing such things as cleaning the station, putting fuel oil in the stove, and

picking up the mail. On January 12, approximately an hour and one half was spent doing such things. The remaining time was dead time for the agent.

The agent at East Highlands is approximately 72 years of age and is ready to retire.

The Gold Buckle Fruit Exchange, representing citrus shippers, opposed the abandonment of service. The principal shipper using the station, Big Bear Lumber Company, does not object to the request and will use the Mentone station.

Adequate and convenient service for those using the East Highland agency is available at San Bernardino and Mentone.

Public convenience and necessity no longer require the maintenance by applicant of an agency at East Highland.

The Commission concludes that the application should be granted.

O R D E R

IT IS ORDERED that The Atchison, Topeka and Santa Fe Railway Company is authorized to discontinue its agency at East Highland, San Bernardino County, subject to the following conditions:

- (a) Applicant shall maintain said station in a nonagency status for the receipt or delivery of freight in carload lots.

- (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 East Highland, 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 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 3rd day of MARCH, 1970.

William J. ...
President
Augusta
William J. ...
Thomas ...
Vernon L. Sturgeon
Commissioners