

Decision No. 77398

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
SOUTHERN PACIFIC TRANSPORTATION COMPANY
for authority to discontinue agency at
West Palm Springs, County of Riverside,
State of California.

Application No. 51702
(Filed February 11, 1970)

Harold S. Lentz, for Southern Pacific
Transportation Company, applicant.
Nina M. Anderson, for herself, and
Mrs. Dora Mays, for herself and for
First Baptist Church, protestants.
David A. Tunno, for Concerned Citizens
of 38th Congressional District of
California, interested party.
Kenneth G. Soderlund, for the Commission
staff.

O P I N I O N

By this application the Southern Pacific Transportation Company (applicant) seeks authority to discontinue its agency at West Palm Springs, Riverside County, California. Freight and passenger traffic is handled at said station. Applicant alleges that public convenience and necessity no longer require the maintenance of service thereat.

A public hearing on the application was held in Palm Springs on April 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

the proposed discontinuance in accordance with the provisions of General Order No. 36-B; however, due to protests, the action was suspended by the Commission.

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

The West Palm Springs station is on applicant's Los Angeles to New Orleans, Louisiana, line. The nearest agency station to the west is Colton, distant 43.2 miles, and to the east is Indio, distant 28.3 miles.

The station agent is the only employee. His hours are 6 AM to 3 PM, seven days per week. The station is closed between 12 Noon and 1 PM for the agent's lunch period and is closed between 3 PM and 6 AM.

There is only one passenger train in each direction through the station. The eastbound train leaves there at 12:50 AM, and the westbound train leaves there at 3:20 AM.

During the absence of the station agent, the station building is locked. There is a sheltered porch with benches at the station building. There is also a public pay telephone thereon. The railroad subscribes to toll-free Zenith service by which the company's Indio station can be called for information relative to freight or passenger service.

The passenger trains do not handle any baggage which cannot be carried on or off the train by the passenger and all trunks and excess baggage must be delivered to or picked up at the Indio station which has full time freight and passenger service.

Prospective passengers can make train reservations by calling the station agent during his duty hours. If no reservation has been made, a ticket may be purchased from the conductor on the train. During the summer months (June 1 to September 15) and the holiday season (December 12 through January 5) advance reservations are required but the applicant's witness stated that ordinarily the passengers may board at the station without advance reservations as the trains are seldom filled.

The freight handled through the West Palm Springs station in 1968 and 1969 was all carload shipments.

The agent at the station makes the freight bills for the outbound freight. He also checks the freight cars at the non-agency stations of Cabazon (12.5 rail miles west) and Garnet (5.5 rail miles east) and fills out demurrage forms. This work requires an average of about five minutes per day of the agent's time. The agent has no other required duties except to clean the station and issue passenger tickets. All work except cleaning the station can be done through the Indio station if the agency at West Palm Springs is discontinued.

If the agency is terminated, applicant will bill the freight through the Indio station.

The only change in freight service will be that the cars will be ordered through the Indio station rather than the West Palm Springs station.

Gross operating revenues from the passenger and freight traffic originating at the station during the calendar years 1968 and 1969 were as follows:

<u>Item</u> (a)	<u>Year 1968</u>		<u>Year 1969</u>	
	<u>Carloads</u> (b)	<u>Revenue</u> (c)	<u>Carloads</u> (d)	<u>Revenue</u> (e)
Inbound Freight:				
Plasterboard	8	\$ 950	3	\$ 462
Appliances	1	40	13	860
Miscellaneous	1	755	3	2,571
Outbound Freight:	-	-	-	-
Demurrage		90		155
Passengers		1,622		1,522
Baggage		<u>8</u>		<u>0</u>
Total	<u>10</u>	<u>\$3,465</u>	<u>19</u>	<u>\$5,470</u>

The total business handled at the station consisted of the making of two way bills in 1968 and four in 1969; the sale of 64 passenger tickets in 1968 and 35 in 1969; the handling of 76 pieces of baggage in 1968 and none in 1969; and the inspection of freight relative to 14 damage claims in 1968 and seven in 1969.

The expenses allocated to the station for the years 1968 and 1969 were as follows:

<u>Item</u> (a)	<u>Year</u> <u>1968</u> (b)	<u>Year</u> <u>1969</u> (c)
Gross Wages	\$21,783	\$17,608
Payroll Taxes	5,616	4,539
Telephone	828	815
Utilities	784	729
Auto and other expenses	1,148	1,009
Stationery and supplies	244	194
Total	<u>\$30,403</u>	<u>\$24,894</u>

The big item of expenses was the wages. There was a clerk with the agent in 1968. The clerk was gone in 1969. The agency is open seven days a week. In 1969 the agent could get no relief, so the gross wages paid include overtime for Sundays and holidays. If a relief man had been available, the wages paid for two men would have amounted to \$11,889 plus mileage from Indio to the station. In 1969 there was a shortage of relief men. Whether this condition will continue is not known.

If the agency is closed the applicant will save the following amounts based on no relief man being available (overtime being paid to one man):

<u>Item</u> (a)	<u>Amount</u> (b)
Gross Wages	\$17,608
Payroll Taxes	4,539
Telephone	391
Utilities	729
Auto and other expenses	960
Contingencies	(250)
Estimated annual savings	\$23,977

The freight traffic can be handled from the Indio station. No agent at the West Palm Springs station is necessary for such traffic.

The passenger trains come through the station at 12:50 AM (eastbound) and 3:20 AM (westbound). At these times the station is locked and there are no facilities for boarding passengers or alighting passengers except a porch with benches, a light and a public pay telephone.

One of the protestants lives in Desert Hot Springs (11 miles north of the station); once a year she visits her relatives in San Antonio, Texas; she has to have friends bring her to the station and wait in the car until the train comes; she orders her tickets by telephone and this could be done through the Indio agent; coming home from Texas she gets off in Indio because the train may be an hour late; Indio is 30 miles from Desert Hot Springs.

The witness has school teacher granddaughters and a daughter who visit her from Texas.

A Palm Springs resident returning from a trip east with her daughter arrived at the station which was closed; there was no telephone (one has since been installed); the conductor took her on to Colton; she had to have someone come to Colton from Palm Springs to bring her home.

Thirty three members of a Palm Springs church request that the station remain open (Exhibit No. 9).

The City of Desert Hot Springs opposed the granting of the application.

There is no need for an agent at this station between 6:00 A.M. and 3:00 P.M., the present agency hours.

Public convenience and necessity no longer require the maintenance by applicant of an agency at the West Palm Springs station.

We conclude that the application to discontinue the agency at West Palm Springs station should be granted.

O R D E R

IT IS ORDERED that the Southern Pacific Transportation Company is authorized to discontinue its agency at West Palm Springs, Riverside County, subject to the following conditions:

- (a) Applicant shall maintain the station building with a covered porch and adequate lighting at night. In addition, it shall maintain on the station building porch a public pay telephone.

- (b) Applicant shall maintain said station in a nonagency status for the receipt or delivery of freight in carload lots.
- (c) Within one hundred twenty days after the effective date hereof and not less than ten days prior to the discontinuance of the agency at West Palm Springs, Riverside 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.
- (d) 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 Los Angeles, California,
this 23rd day of JUNE, 1970.

William J. Jensen Jr.
President

Attorney

Commissioner

Vermon L. Sturgeon
Commissioners