

Decision No. 79463**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 and to remove station building)
 and appurtenances from public service)
 at Berkeley, County of Alameda, State)
 of California.)

Application No. 52935
 (Filed October 19, 1971)

O P I N I O N

Southern Pacific Transportation Company requests authority to discontinue agency and to remove the station building and appurtenances from public service at Berkeley.

It is alleged that passenger trains no longer stop at this station, and therefore, both the business handled and the type of business conducted at said station do not warrant continued maintenance of an agency at said station or the continued maintenance of the station building and appurtenances in public service; that the general public in Berkeley is presently served and will continue to be adequately and conveniently served through the agency station of Oakland and other agency stations of applicant; and that public convenience and necessity can best be served by discontinuing the present agency at Berkeley and removing from public service the station building and appurtenances at Berkeley.

It is further alleged that because of certain applicable labor agreements, applicant cannot discontinue the agency prior to January 1, 1972, and can do so thereafter only as so-called "attrition" credits become available. Because of the uncertainty as to time applicant requests a formal order of the Commission authorizing discontinuance of the agency at Berkeley on January 1, 1972, or as soon thereafter as it can do so consistent with the provisions of the applicable labor agreements.

After consideration the Commission finds that the proposed discontinuance would not be adverse to the public interest and that public convenience and necessity no longer require an agency by Southern Pacific Transportation Company at Berkeley.

O R D E R

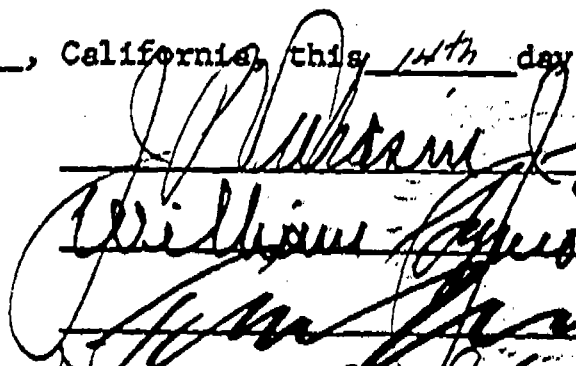
IT IS ORDERED that:

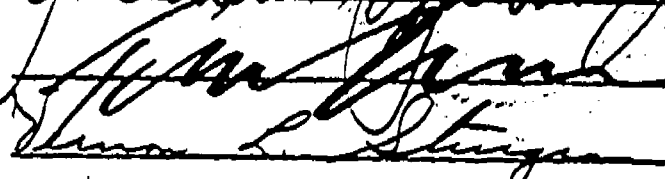
1. On January 1, 1972, or as soon thereafter as is consistent with provisions of applicable labor agreements, Southern Pacific Transportation Company may discontinue agency at Berkeley and may remove the station building and appurtenances from public service and maintain said station as a non-agency station.

2. Ten days prior to the discontinuance of agency at Berkeley, Southern Pacific Transportation Company shall: (1) file written notice with the Commission; (2) publish notice of discontinuance of agency in a paper of general circulation; and (3) post notice of discontinuance of agency in its Berkeley station.

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

Dated at Los Angeles, California, this 14th day of DECEMBER, 1971.



Chairman


Commissioners
