

Decision No. 81352

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF THE ATCHISON, TOPEKA
AND SANTA FE RAILWAY COMPANY, a cor-
poration, for authority to reduce to
non-agency status its station at
National City, County of San Diego,
State of California

Application No. 53568
(Filed September 5, 1972)

Thomas I. McKnew, Jr., Attorney at Law, for
The Atchison, Topeka and Santa Fe Rail-
way Company, applicant.
Jennings, Engstrand & Jenkins, by Donald F.
McLean, Jr., for City of National City;
William Underwood, for John Hancock
Furniture Manufacturing Co.; and Henry
Roloff, for Scrap Disposal, Inc.;
protestants.
Jacinto Gonzales, for Chula Lumber Co.;
William Mitze, for Riverside Cement Co.;
and Alex O. Swanson, for H. G. Fenton
Material Co./PreMixed Concrete Co.;
interested parties.
John de Brauwere, for the Commission staff.

O P I N I O N

The Atchison, Topeka and Santa Fe Railway Company seeks authority to discontinue its agency at National City, San Diego County, California, close the freight house on Samson Street, National City, California, and thereafter maintain the station as a nonagency station. Applicant alleges that under present conditions both the business handled and the type of business conducted at the station do not warrant continued maintenance of an agency at National City; that the general public can be adequately and conveniently served at the agency station at San Diego, California; and that public convenience and necessity can best be served by discontinuing this agency at National City.

A public hearing was held at San Diego on December 14, 1972 before Examiner DeWolf and the matter was submitted.

Notice of hearing was posted and published as required by the Commission rules.

Several letters were received prior to hearing which state that because National City is growing and has a large volume of carload freight a city of its size should have a railroad station. Other letters received prior to hearing stated that the station should be kept at its present location.

Three protestants appeared at the hearing and two testified in opposition to the application.

Four employees of the applicant familiar with the National City station testified generally that the Samson Street Freight House station in question is located near the city of San Diego; that under present conditions the business handled at the station does not warrant continued maintenance of the agency; that the general public can be adequately and conveniently served through the station of San Diego and that substantial savings will be effected as a result thereof.

The protestants testified there is a need for an agent at National City to answer their questions and solve problems.

Employees of the railroad testified that such questions and problems in the great majority of instances must be referred to San Diego for answer and the use of direct communication to San Diego will expedite and simplify the work.

The evidence establishes that the station at National City is staffed by a single employee who is on duty eight hours

during the day, five days a week. The office is closed one hour for lunch. The National City station is five and a half miles from the San Diego station and four miles from the freight house. It is served by a switch engine from San Diego. The agent at National City prepares his own payroll and with his other duties works only three to four hours per day, although at times substantial overtime is earned. This agent will be employed elsewhere and no layoffs will result from this change because of a shortness of agency personnel.

Line 11 (erroneously titled net loss) of Exhibit No. 1 indicates that the National City station experienced a net gain of \$235,606.99 in 1970, \$409,558.16 in 1971, and \$189,834.63 for the first six months of 1972. Applicant's evidence emphasizes that closing the National City station will save considerable money and that the functions of checking the yard every morning and evening, making claim inspections before cars are unloaded, accepting releases on unloaded cars, keeping demurrage records, receiving complaints on cars with mechanical defects, and accepting bills of lading can be more efficiently performed by personnel from the San Diego agency. A transportation consultant and a representative of a large furniture company testified for the protestants. They favored the local agent because inquiries or requests for cars were handled without delay. The local agent advised them on rating or shipping matters and was always available. They occasionally call the San Diego office for information and are usually told to wait until the call can be returned by someone who has obtained the requested information. The witness representing the furniture dealer testified that he occasionally must make an immediate decision as to whether he should ship by truck or rail. The local agent has sufficient knowledge and responsibility to help him reach a conclusion. He doesn't want to have to rely on another agency who would assign an anonymous clerk to answer his questions.

The National City agency is operating profitably and requires only a single employee, who will be employed elsewhere by the railroad if the agency is closed. Local shippers will be inconvenienced if the National City agency is eliminated and the agent is transferred to San Diego.

Findings

1. Operating revenues at the National City station have increased substantially during the last three years.
2. The increasing revenues indicate that nearby shippers will use the local facility in preference to the larger San Diego agency.
3. The service provided by the National City agent includes track and yard inspections, claim investigations, handling complaints, keeping demurrage records, ordering rail cars for shippers, and handling bills of lading.
4. An agent is required at National City to provide service for local shippers.

The Commission therefore finds and concludes that public convenience and necessity require that applicant's National City station remain as an agency station.

O R D E R

IT IS ORDERED that Application No. 53568 is denied.

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

Dated at San Francisco, California, this 8th
day of MAY, 1973.

Verason L. Stinson
President
William Synovitz

[Signature]
[Signature]
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.