

Decision No. 82151**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 change the)
 agency at Brentwood, County of)
 Contra Costa, State of California,)
 to a seasonal agency.)

Application No. 53905
 (Filed March 20, 1973;
 amended April 9, 1973)

Harold S. Lentz, Attorney at Law, for Southern
 Pacific Transportation Company, applicant.
R. D. Cook, Attorney at Law, for himself,
 protestant.
Rick J. Hundren, for Brotherhood of Railway
 Clerks, interested party.
Paul A. Burket, for the Commission staff.

O P I N I O N

Applicant requests authority to change the present agency station at Brentwood to a nonagency station except for the period from September 1 to November 30 of each year.

A public hearing was held before Examiner Porter at Brentwood on July 19, 1973 and the matter was submitted.

Applicant presented evidence that the agency would continue as it is now and provide the same service as it does now, during the months of September, October, and November if the application is granted.

There were only five outbound cars during the first five months of 1973. The present patrons would be provided with the same service they now enjoy by either the train conductor or the agent at nearby Pittsburg. The railroad would accept all collect calls at the Pittsburg agency from its patrons in Brentwood. Applicant introduced Exhibit 6 which shows that for the period January through August and December, the railroad would realize a \$10,000 net annual saving if the application were granted.

The protestant was concerned with the possible removal of the loading ramp if the station were closed for nine months as he is a shipper of scrap battery lead and has need for applicant's services. It was pointed out that the applicant was not seeking to remove the loading ramp.

Upon consideration of all the facts, the Commission finds that public convenience and necessity do not require the services of an agent at the Brentwood station, except for the period September 1 to November 30 of each year. The Commission concludes that the application should be granted.

O R D E R

IT IS ORDERED that Southern Pacific Transportation Company is authorized to change the agency at Brentwood, County of Contra Costa, State of California, to a seasonal agency for the months of September 1 through November 30 of each year, subject to the following conditions:

1. 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, Southern Pacific Transportation Company shall file in duplicate amendments to its tariffs showing the deletion authorized herein and shall make reference in such tariffs to this decision as authority for this change.

2. Within thirty days after the change herein authorized applicant shall notify this Commission, in writing, thereof.

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

Dated at San Francisco, California, this 20th day of NOVEMBER, 1973.

William J. Sykes President
[Signature]
[Signature]
[Signature] Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.