

Decision No. 83748

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
Los Banos, County of Merced, State of
California.

Application No. 54672
(Filed February 20, 1974)

Harold S. Lentz, Attorney at Law, for
Southern Pacific Transportation
Company, applicant.
Bob Mc Hale, for Los Banos Chamber of
Commerce; Neil B. Van Winkle, Joseph
W. Carlucci, Mayor pro tem, and
Michael W. Ensley, for City of Los
Banos; Harold Zimmerman, for Lifetime
Doors, Inc.; Gordon Zentner, for
Zentner Tractor Company; George White
and Robert M. Falasco, Attorney at Law,
for Los Banos Dairymen Association:
protestants.
Paul A. Burket, for the Commission staff.

O P I N I O N

Applicant requests authority to discontinue the present agency station at Los Banos.

A public hearing was held before Examiner Porter at Los Banos on October 1 and 2, 1974 and the matter was submitted.

Applicant presented evidence that if the agency at Los Banos were eliminated, calls for information or cars would be a toll-free call to Newman and this would provide the same service to Los Banos shippers as present calls to the Los Banos agent now provide. If the application is granted the railroad would augment the agency force at Newman during the perishable shipping season at Los Banos (generally July through September) to handle the additional volume of work at Los Banos. The present agent at Newman would handle all the work that the present agent at Los Banos would perform. The railroad

witness estimated (Exhibit No. 5) an annual saving of \$11,000 if the Los Banos agency is operated as a nonagency station. There is on the average between two and three hours of work per day for the agent presently stationed at Los Banos. It was the opinion of the railroad's witness that if the Los Banos agency station were closed the shippers who use the Los Banos agency would receive equal or better service out of Newman.

The protestants, while presenting no witnesses, did present through cross-examination and statements their concern for the closing of the station at Los Banos. They felt that the proposed service would not be up to the present level of service and that with additional work at the Newman station the agent would not be able to adequately service the Los Banos area. They were also concerned with obtaining cars and equipment, and the inspection of damaged shipments by railroad personnel.

Findings and Conclusion

1. Adequate and convenient service is available for Los Banos agency customers at the Newman agency.
2. Operating the Los Banos facility as a nonagency station will result in a considerable annual saving to the applicant and will not substantially inconvenience the public.
3. All of the work and duties of the present agent at Los Banos can be handled at Newman.
4. Public convenience and necessity no longer require the Southern Pacific Transportation Company to provide an agent at Los Banos, California.
5. We find with reasonable certainty that the project involved in this proceeding will not have a significant effect on the environment.

The Commission concludes that the application should be granted.

O R D E R

IT IS ORDERED that:

1. Southern Pacific Transportation Company is authorized to discontinue the agency at Los Banos, Merced County, California.

2. Southern Pacific Transportation Company shall provide toll-free service to its agency at Newman from Los Banos.

3. 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.

4. 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 26th
day of NOVEMBER, 1974.

Vernon L. Spitzer
President
William J. Spitzer
Robert E. McLeod
Commissioners