

Decision No. 84556

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
freight agency at Sunnyvale, County
of Santa Clara, State of California.

Application No. 55407
(Filed December 20, 1974)

Harold S. Lentz, Attorney at Law, for applicant.
Edwin H. Millison, for Sunnyvale Chamber of Commerce;
Steve Giurlani, for Star Brand Foods; Michael Shade,
for Mead Products-Westab; and Walt Kosek, for Shedd
Bartush Foods, Inc; protestants.
Duncan Home, for himself, interested party.
Paul A. Burket and Marc E. Gottlieb, for the Commission
staff.

O P I N I O N

Southern Pacific Transportation Company (SP) maintains a freight and passenger agency station at Sunnyvale. It here seeks authority to discontinue its freight agency function.

A duly noticed public hearing was held before Examiner Porter at Sunnyvale on March 13, 1975 at which time the matter was submitted.

The station at Sunnyvale is open to the public from 6:00 a.m. to 6:30 p.m., Monday through Friday, and from 10:00 a.m. to 6:30 p.m., Saturdays, with the exception of holidays. After the station is closed freight agency personnel can be contacted by telephone until 10:00 p.m. The granting of this application will not have any effect with respect to the passenger agency functions at Sunnyvale.

Under the proposal to close the freight agency the services presently available at Sunnyvale will be available through SP's agency station at San Jose which is located approximately eight miles

south of the Sunnyvale station. Patrons calling San Jose instead of Sunnyvale will be able to do so at no additional charge. Since the San Jose office is open 24 hours a day, seven days a week, the hours a person would be able to contact SP would be expanded. SP estimates annual savings of \$24,000 if the freight agency at Sunnyvale is closed.

Two of the protestants testified that they were fearful that should the freight agency at Sunnyvale be closed their needs would not be served as well as presently. The executive vice-president of the Sunnyvale Chamber of Commerce testified that Sunnyvale was in a period of economic growth and that more rail customers of SP would be locating in Sunnyvale in the immediate future. He also expressed concern about possible degradation of service should the freight agency be closed.

Discussion

If this application is granted the services presently available at Sunnyvale will be available through applicant's San Jose agency station. There will be no additional cost to shippers to contact applicant's San Jose office. The time during which patrons may contact the applicant will be expanded as the San Jose office is open 24 hours a day seven days per week. Protestants' fears that their needs will not be served as well as presently are purely speculative. Any additional rail customers locating in Sunnyvale will be able to obtain service at San Jose.

Public convenience and necessity no longer require the maintenance by Southern Pacific Transportation Company of a freight agency at Sunnyvale.

O R D E R

IT IS ORDERED that Southern Pacific Transportation Company is authorized to discontinue its freight agency at Sunnyvale, Santa Clara County, subject to the following conditions:

- (a) Within one hundred twenty days after the effective date of this order and not less than ten days prior to the discontinuance of the freight agency at Sunnyvale, Southern Pacific Transportation Company shall post a notice of such discontinuance at the station and, within one hundred twenty days after the effective date of this order 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 change authorized and shall make reference in such notice and tariffs to this decision as authority for the change. In no event shall the freight agent be removed earlier than the effective date of the tariff filings.
- (b) Within thirty days after discontinuance of service applicant shall give written notice to the Commission that it has complied with this order.
- (c) It shall provide toll-free telephone service between Sunnyvale and San Jose for its customers.

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

Dated at San Francisco, California, this 17th day of JUNE, 1975.

Vernon L. Sturgeon
President
William J. Brown, Jr.
Donald Ross
Robert P. Baker
Commissioners