

Decision No. 35675

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of W. H. PIMENTEL, d/b/a North Sacramento Stage Line, for authority to extend his operative rights between Sacramento and North Sacramento to include operation over and along Marysville Road, Bell, North, Grand, and 24th Avenues, and Claremont Street, and intermediate points; (2) to consolidate the proposed extension with the existing operative rights of applicant; and (3) for an order restating the operative rights of applicant subject to conditions involving the existing routes of applicant and the proposed extension.

ORIGINAL

Application No. 25106

BY THE COMMISSION:

O P I N I O N

W. H. Pimentel is presently engaged in the operation of a passenger stage service in general between Sacramento, North Sacramento, Rio Linda, McClellan Field and intermediate points, over various routes. He also provides a passenger stage service between Sacramento, Fair Oaks and a project on the American River known as the American River Hydroelectric Damsite and certain intermediate points. That service is conducted under operative rights created by numerous decisions of the Commission.

In the above-entitled application, applicant requests the Commission to grant to him a certificate de novo in lieu of the above described operative rights authorizing service between the same points, subject to the same restrictions now existing in the present operative rights, together with authority to extend one of the present routes to serve a Federal Housing Project which is situated northeasterly from Del Paso Heights and southeasterly from Rio Linda and Robla. This project is being developed under the Federal Housing Authority and is known tentatively as the Parker Tract.

As justification for authority to extend service to the Parker Tract, applicant alleges, in substance, that the United States Government through the Federal Housing Authority now has under construction a number of houses which are being erected for the purpose of providing housing facilities for civilian employees and officers employed at the Sacramento Air Depot (McClellan Field); that McClellan Field is located on one of the routes now served by applicant; and that the proposed extension to the Parker Tract will provide an adequate, necessary and convenient system of transportation between North Sacramento, Sacramento, McClellan Field and the Parker Tract.

In support of the certificate de novo in lieu of its present operative rights, applicant asserts, in effect, that throughout the entire area served by him the density of population is constantly changing as to localities; that with each change in such density requests are received for additional or different service; and that in order to provide a complete and adequate system of transportation, changes of routes to meet public demand would be more easily attained if those routes were established under service regulations by the Commission rather than as a part of applicant's underlying certificate of public convenience and necessity.

The proposed extension to the Parker Tract will involve about five additional miles of operation. The one-way adult fare proposed between Sacramento and the Parker Tract is 20 cents. Fares between the tract and other points served are in proportion.

From a careful review of the evidence in this matter, we are of the opinion, and so find, that the request of applicant is in the public interest and should be granted. The order will so provide. This does not appear to be a matter in which a public hearing is necessary.

O R D E R

It being found that public convenience and necessity so require:

IT IS ORDERED that a certificate of public convenience and necessity is hereby granted to W. H. Pimentel authorizing the establishment and operation of services as a passenger stage corporation as defined in section 2 $\frac{1}{2}$  of the Public Utilities Act, (a) for the transportation of passengers between Sacramento, McClellan Field, Rio Linda and intermediate points, including North Sacramento, Ben Ali, Haggin Oaks Store, Del Paso Heights, Robla, Garden Land, and the Parker Tract; (b) for the transportation of passengers, baggage and shipments of express weighing not in excess of one hundred pounds on passenger vehicles only between Sacramento and American River Hydroelectric Damsite and the intermediate points of "H" Street Bridge, Del Paso, Carmichael, Fair Oaks and Orangevale; subject to the following condition:

W. H. Pimentel, his successors or assigns, shall never claim before this Commission, or any court or other public body, a value for the authority hereby granted in excess of the actual cost thereof.

IT IS FURTHER ORDERED that the foregoing certificate is granted, not in addition to, but, in lieu of any and all passenger stage operative rights heretofore granted to or acquired by applicant Pimentel between those points and said operative rights are hereby revoked and annulled.

IT IS FURTHER ORDERED that in the operation of passenger stage service pursuant to the foregoing certificate, the following service regulations shall be observed:

1. Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the effective date hereof.

2. Applicant shall comply with the rules of the Commission's General Order No. 79 and Part IV of General Order No. 93-A by filing, in triplicate, and concurrently making effective tariffs and time schedules satisfactory to the Commission within sixty (60) days from the effective date hereof and on not less than five (5) days' notice to the Commission and the public.
3. Subject to the authority of this Commission to change or modify them at any time by further order, applicant shall conduct said operations over and along the following routes:

Route 1

Beginning at 5th and I Streets, in the city of Sacramento, thence via 5th, I and/or J Streets to 12th and/or 16th Streets; thence via 12th and/or 16th Streets, Auburn Blvd., Del Paso Blvd. (North Sacramento), 22nd Street, North Avenue, 24th Street, and South Street, to the northeast corner of the U. S. Army Air Depot (McClellan Field), thence south along an unnamed road to the U. S. Army Air Depot, to Antelope Road, thence southwesterly along Antelope Road to Ben Ali Avenue; thence northwesterly along Ben Ali Avenue to Del Paso Blvd. Along Marconi Avenue between Antelope Road and Howe Avenue. Along Marysville Road between Del Paso Blvd. and Arcade Avenue.

Route 2

Along Arcade Avenue between Ben Ali Avenue and Rio Linda Blvd. (9th St.),

Route 3

Beginning at the intersection of Del Paso Blvd. and Rio Linda Blvd. (9th St.), thence along Rio Linda Blvd., Grand Avenue (Del Paso Heights), Taylor Street, Kesner Avenue, Park Street, Charles Street (Carmelita Ave.), to Rio Linda Blvd.

Route 4

Beginning at the intersection of Grand Avenue and Rio Linda Blvd. (9th St.) thence northerly along Rio Linda Blvd. through Robla to Dry Creek Road (Rio Linda), thence easterly and southerly along Dry Creek Road to Grand Avenue. Beginning at the intersection of Grand Avenue and Rio Linda Blvd., thence along Grand Avenue, Marysville Blvd. and Arcade Avenue to Del Paso Blvd.

Route 5

Along Nogales Avenue between Rio Linda Blvd. and Marysville Blvd. to Marysville Blvd., thence on Marysville Blvd. and Los Robles Avenue to the junction of Los Robles Avenue and Del Paso Blvd. (Haggin Oaks Store).

Route 6

Beginning at the junction of Auburn Blvd. and Natomas Blvd., thence along Natomas Blvd., Jefferson Ave., American Avenue, Haggin Avenue and Lower Marysville Road to Jefferson Avenue. Along El Camino Avenue between Lower Marysville Road and Rio Linda Blvd. (9th St.).

Route 7

Beginning at the intersection of Marysville Road and Grand Avenue, thence along Marysville Road to Bell Avenue, along Bell Avenue to the U. S. Army Air Depot (McClellan Field). Beginning at the intersection of Bell Avenue and 24th Street, thence south on 24th Street to North Avenue, thence on North Avenue, Marysville Blvd., Grand Avenue to 22nd Street, continuing easterly along Claremont Avenue to the junction of Claremont Avenue and Ben Ali - Antelope Road.

Route 8

Beginning at 7th and L Streets, Sacramento; thence north on 7th Street to I Street, thence on I Street, 31st St., H Street; Fair Oaks Blvd., Sunset Avenue, Winding Way, Greenback Lane (Orangevale), to American River Hydroelectric Damsite.

- 4. Applicant shall turn his motor vehicles at termini or intermediate points, either in the intersection of the streets or by operating around a block contiguous to such intersection in either direction and to carry passengers as traffic regulations of the political subdivision may require.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 11<sup>th</sup> day of August, 1942.

Justus J. Craven

W. B. K. K.

Frank P. Havens

Richard Schaefer

COMMISSIONERS