

ORIGINAL

Decision No. 35891

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of LASSEN TRAILWAYS, a corporation, for an order authorizing an increase in passenger fares.

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) Application No. 25116  
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In the Matter of the Application of LASSEN TRAILWAYS, for an extension of its operative rights in the City of Marysville.

)  
) Application No. 25224  
)

W. P. RICH, of Rich and Weis, for applicant Lassen Trailways.

NORMAN H. ROBOTHAM, for applicant Lassen Trailways.

BY THE COMMISSION:

O P I N I O N

In the above entitled applications, as amended, Lassen Trailways, a passenger stage corporation, successor to Twin Cities Transit, providing local transportation in and between the cities of Marysville and Yuba City, seeks an order authorizing:

- (I) A clarification of its operating rights as granted in Decision No. 34969, in regard to intracity service. (1)
- (II) The extension of its service as requested in Application No. 25224, as amended. *JTG*
- (III) The abandonment of service on D Street between Fifth and Fourteenth Streets and on Fourteenth Street from D to B Streets. (2)

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- (1) By Decision No. 34969, Application No. 24554, Sacramento Northern Railway was authorized to abandon all local street car service between Marysville and Yuba City, and by the same decision, Application No. 24492, authorized Twin Cities Transit, predecessor to Lassen Trailways, to operate a local passenger stage service between the cities of Marysville and Yuba City.
  - (2) By Decision No. 35313, Application No. 24880, Lassen Trailways was granted authority to extend service north of the Marysville terminus from 5th Street to 14th Street via D and B Streets.

(IV) Radial operations within a distance of three blocks of the certificated route in the City of Marysville for the transportation of school children.

(V) An increase in fares to 10 cents for single rides, with a 15-ride ticket to be sold at \$1.00 for adults or 60 cents for children attending school.

Public hearings in these proceedings, which were consolidated for both hearing and decision, were held before Examiner Grant in Marysville on September 21, 1942, and in San Francisco on September 28, 1942, the matters were submitted, and are now ready for decision.

During the course of these proceedings the president of Lassen Trailways testified generally as to the nature of the applications, introducing a number of exhibits in support of his claims. An accountant in the employ of applicant testified as to the operating revenues and expenses of the applicant and an engineer from the Commission's staff also testified along these lines, both submitting exhibits. Thirteen public witnesses representing, among others, local military authorities, city and school officials, and representatives of civic bodies testified.

These matters are interrelated and of common interest. For the sake of clarity, however, they will be discussed separately in order of their numerical sequence, an individual finding made therein, and will thereafter be disposed of in a single decision.

#### I. CLARIFICATION OF OPERATING RIGHTS

With respect to applicant's request to clarify operating rights within the cities, the Commission, in Decision No. 34969, granted a certificate of public convenience and necessity to Twin Cities Transit, predecessor of Lassen Trailways, for the operation of

a local passenger stage service between the cities of Marysville and Yuba City but the decision was silent as to the service within the cities. Applicant stated that it was his intent to perform service within each city as well as between cities and was of the belief that it was the Commission's intent to grant such authority. He requests, therefore, that Decision No. 34969 be amended to read "For the operation of local passenger service between the cities of Marysville and Yuba City and within each of the two cities." He further stated that he is now performing such service and seeks a clarification of the right to do so. Based on the record, applicant's request for such clarification appears to be reasonable and in the public interest and he will be granted authority to perform service between and within Marysville and Yuba City.

#### II. EXTENSION OF SERVICE SOUGHT BY APPLICATION NO. 25224.

Testimony of witnesses, including representatives of the Army and civic groups, showed that the proposed extension would provide transportation service to a trailer camp, consisting of 200 trailers erected by the Federal Government, which houses the civilian employees of Camp Beale. (3) It was also pointed out that the proposed extension would serve some 300 homes, now constructed, or in the course of construction, which are to be occupied principally by officers and enlisted men of Camp Beale and their families. There is no public transportation service now available in the area under consideration. No opposition to the proposed extension of service appears of record. This request will be granted.

#### III. ABANDONMENT OF SERVICE ON D STREET AND 14th STREET.

In the matter of abandoning service on D Street between Fifth and Fourteenth Streets and on Fourteenth Street between D and B

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(3) Camp Beale, recently constructed near Marysville, is one of the larger cantonments on the coast.

Streets (4) applicant testified that because of insufficient patronage, service had already been curtailed to three trips daily and even those carried only a small percentage of capacity. With the granting of the extension of service along B Street the abandonment of service on D Street will not be a serious inconvenience. The public not being adversely affected and in the interest of economy and of conservation of equipment and rubber, the request for abandonment will be granted.

In order to accomplish the clarification of operative rights, extension of service sought by Application No. 25224 and the abandonment of service on D Street and 14th Street as above discussed, a new certificate will be granted to applicant in lieu of all of its present operative rights between Marysville and Yuba City.

#### IV. RADIAL OPERATIONS WITHIN THREE BLOCKS OF CERTIFICATED ROUTE.

Applicant seeks authority, by verbal amendment to his application near the close of testimony, to deviate a distance of three blocks radially from his certificated route to accommodate school children attending the Marysville elementary school and Notre Dame Convent. Testimony in support of such request consisted only of a statement by applicant that school authorities had asked for this service. The record is silent as to the possible number of students who would avail themselves of the service, the time required to perform the same, and the number of trips which might be involved. Neither does the record disclose whether equipment available to applicant would be adequate to handle this service without jeopardizing other scheduled operations. Based on the condition of the record with respect to this request, it will be denied without prejudice.

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(4) That portion of the service sought to be abandoned was granted in Decision No. 35313, Application No. 24880.

V. INCREASE IN FARES.

Because of the need for immediate service over the new routes requested by applicant authority for such service will be granted in the following Interim Order, which will in turn be followed at a later date by an order dealing with applicant's request for an increase in fares.

INTERIM ORDER

Public hearing having been held in the above entitled proceedings, evidence having been received, the matter having been duly submitted, the Commission now being fully advised, and it being found as a fact that public convenience and necessity so require:

IT IS ORDERED:

I

That a certificate of public convenience and necessity is hereby granted to Lassen Trailways to operate a passenger bus service between and within the cities of Marysville and Yuba City and intermediate points, not in addition to, but in lieu of the operative rights heretofore created or acquired by applicant under Decision No. 34969, dated January 27, 1942, and Decision No. 35313, dated May 5, 1942, which operative rights are hereby revoked and annulled, subject to the following condition:

Lassen Trailways, its successors or assigns, may never claim before this Commission or any court or other public body, a value, for any purpose, for the certificate herein granted in excess of the actual cost incurred by it in securing said operative authority.

II

That in providing 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. 93-A, Part IV, by filing, in triplicate, and concurrently making effective 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 the Commission to change or modify such at any time by further order, applicant shall conduct said passenger stage operations over and along the following routes:

#### B Route

Commencing at the west or Yuba City end of the Bridge which crosses the Feather River between Marysville and Yuba City, thence westerly on Bridge Street to 2nd Street, southerly along 2nd Street to B Street, westerly along B Street to Cooper Avenue, northerly along Cooper Avenue to Forbes Avenue, easterly along Forbes Avenue to Plumas Street, northerly along Plumas Street to Teegarden Avenue, easterly on Teegarden Avenue to Sutter Street, southerly on Sutter Street to Bridge Street, thence across the Bridge to 5th Street, in Marysville, thence easterly along 5th Street to B Street, northerly along B Street to 18th Street, easterly along 18th Street to Ramirez Street, southerly along Ramirez Street to 12th Street, westerly along 12th Street to B Street, southerly on B Street to 5th Street, and thence along 5th Street to the point of beginning,

with an alternate route when, due to traffic congestion, it may be more advantageous to operate on 6th Street in Marysville,

from the intersection of 5th and J Streets, northerly along J Street to 6th Street, and easterly along 6th Street to D Street and southerly along D Street to 5th Street and thence along the regular route as previously described.

#### T Route

Commencing at the west or Yuba City end of the Bridge which crosses the Feather River between Marysville and Yuba City, westerly along Bridge Street to Sutter Street, northerly on Sutter Street to Teegarden Avenue, westerly on Teegarden Avenue to Plumas Street, southerly on Plumas Street to Forbes Avenue, westerly on Forbes Avenue to Cooper Avenue, southerly on Cooper Avenue to B Street,

easterly on B Street to 2nd Street, northerly on 2nd Street to Bridge Street, thence across the Feather River Bridge on 5th Street to B Street, in Marysville, northerly on B Street to 12th Street, easterly on 12th Street to Ramirez Street, northerly on Ramirez Street to 15th Street, easterly along 15th Street to the Hub City Trailer Camp, returning via 15th Street to Buchanan Street, southerly along Buchanan Street to 12th Street, westerly on 12th Street to B Street, southerly on B Street to 5th Street, westerly on 5th Street to the point of beginning,

with an alternate route at times when service cannot be performed on Buchanan Street, Marysville, as follows:

from the intersection of Buchanan Street and 15th Street, thence westerly along 15th Street to Ramirez Street, thence southerly along Ramirez Street to 12th Street and thence along the regular route as described,

with an additional alternate route

from the intersection of 5th and J Streets, northerly along J Street to 6th Street, easterly along 6th Street to D Street, southerly along D Street to 5th Street, and thence along the regular route as previously described.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall become void if not exercised within sixty (60) days from the date hereof.

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

Dated at Los Angeles, California, this 20<sup>th</sup> day of October, 1942.

Justus J. Cameron  
Ray A. Perry  
M. Baker  
Francis R. Haveman  
Richard L. Chase  
Commissioners