

Decision No. 37407

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of MARY MARITZEN and E. B. OSTHUES, a co-partnership, doing business under the firm name and style of THE MODESTO TRANSIT COMPANY, for a certificate of public convenience and necessity to operate bus service as a common carrier of passengers, baggage, and express between the city of Modesto, Stanislaus County, California and the Vernalis Guayule project, now known as the Hammond-Vernalis Reconditioning Camp in San Joaquin County, California, and all intermediate points.

ORIGINAL

Application No. 26259
First Supplemental

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION

By Decision No. 37301, rendered August 29, 1944, in this proceeding, a certificate was issued authorizing applicants Mary Maritzen and E. B. Osthues, partners doing business as The Modesto Transit Company, to conduct a passenger stage service between Modesto and the Hammond-Vernalis Reconditioning Camp. In their supplemental application, applicants state that when the original application was filed they had been advised by the military authorities that service to and from the Reconditioning Camp should be established by September 1, 1944. They now allege, however, that the camp is still in process of construction and probably will not be completed and activated before January 1, 1945; until this occurs there will be no occasion to transport passengers between Modesto and the camp. Applicants, therefore, request that the time for acceptance of this certificate be extended so as to permit its filing at any time within thirty days following January 1, 1945. Under the circumstances, the

request will be granted and our decision will be modified accordingly.

FIRST SUPPLEMENTAL ORDER

Supplemental application having been filed herein; and good cause appearing,

IT IS ORDERED as follows:

(1) That the time within which applicants may file their written acceptance of the certificate of public convenience and necessity granted to them by Decision No. 37301, rendered herein August 29, 1944, be and it hereby is extended until and including February 1, 1945.

(2) That the time within which applicants may comply with the provisions of paragraph (2) of the service regulations provided by said Decision No. 37301, be and it hereby is extended until and including March 1, 1945.

(3) That in all other respect, Decision No. 37301 shall remain in full force and effect.

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

Dated at San Francisco, California, this 17th day of October, 1944.

Richard L. Tucker
Justin F. Calver
Francis L. Havens
W. W. McLaughlin
W. A. Tamm
COMMISSIONERS