

Decision No. 37672

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)
authorizing operation of a passenger)
stage service between Modesto and)
the Hammond-Vernalis Reconditioning)
Camp, and intermediate points.)

ORIGINAL

Application No. 26259
Second Supplemental

BY THE COMMISSION:

SECOND SUPPLEMENTAL OPINION

Applicants Mary Maritzen and E. B. Osthues, partners doing business as The Modesto Transit Company, were authorized by Decision No. 37301, rendered herein August 29, 1944, to conduct a passenger stage service between Modesto and the Hammond-Vernalis Reconditioning Camp. By Decision No. 37407, rendered October 17, 1944, the time for acceptance of the certificate granted by Decision No. 37301 was extended to February 1, 1945, and the time for the filing of tariffs and time schedules was extended until March 1, 1945.

By their petition filed February 1, 1945, applicants allege that the camp is still in the process of construction, and according to the best information obtainable, will not be completed and activated before June 1, 1945. Until this occurs there will be no occasion to establish the passenger stage service authorized. Accordingly, applicants request that the time for filing the acceptance of the certificate and for filing tariffs and time schedules be further extended until June 30, 1945. Under the circumstances, their request appears to be reasonable, and the extension sought will be granted.

SECOND 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, and 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 June 30, 1945.

(2) That in all other respects 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 9th day of February, 1945.

Richard Ruden
Justus J. Casper
Richard Sachs
Thurman
Frank D. Duce
COMMISSIONERS