

Decision No. 37985

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
MARIO PASTRONE, d.b.a. VICTORY TRANSIT)
COMPANY, for permission to abandon)
Application No. 26187, Decision No.)
37286, which is an extension to and)
consolidated with the existing rights)
under Application No. 25752, Decision)
No. 36604, operated as a unified)
operation.)

Application No. 26435

MARIO PASTRONE, in propria persona.

A. T. RICHARDSON and R. F. SHACKLEFORD,
interested parties.

BY THE COMMISSION:

O P I N I O N

By Decision No. 37286, dated August 22, 1944, on Application No. 26187, this Commission granted a certificate of public convenience and necessity to Mario Pastrone authorizing the establishment and operation of a passenger stage service between North Pomona and South Pomona and intermediate points, as an extension and enlargement of, and consolidation with, the operative right created by Decision No. 36604, subject to certain restrictions.

Applicant Mario Pastrone now seeks authority of this Commission to abandon only the operative right which was created by said Decision No. 37286.

A public hearing was held before Examiner Chiesa at Pomona on March 30, 1945. Evidence having been adduced and the matter submitted, it is now ready for decision.

The record shows that applicant operated service over the new route as authorized in said Decision No. 37286 intermittently between September, 1944, and March, 1945; that residents and workers along said route evinced little interest in said bus service; that applicant advertised this new operation and attempted to interest the public therein; that applicant has sustained a monthly net operating loss of approximately \$275.

There was evidence that applicant is operating the service originally authorized by Decision No. 36604 in a satisfactory and profitable manner.

No one appeared in protest of the proposed abandonment.

We find that service cannot be conducted by applicant without financial loss and that the circumstances justify the abandonment of the operative right created by Decision No. 37286. The application will be granted.

O R D E R

Public hearing having been held in the above-entitled proceeding, the matter having been submitted, and the Commission being fully advised:

IT IS ORDERED as follows:

(1) That Mario Pastrone be, and he hereby is, authorized to discontinue and abandon his operation as a passenger stage corporation between North Pomona and South Pomona and intermediate points, as authorized by Decision No. 37286, subject to the following condition:

Applicant shall give not less than ten (10) days' notice of abandonment to the public by posting notice at his main terminal or stop and in his buses.

(2) That the operative right created by Decision No. 37286, on Application No. 26187, be, and it hereby is, revoked and annulled.

(3) That Mario Pastrone shall continue the operation of service as a passenger stage corporation as authorized by Decision No. 36604, dated September 14, 1943, subject to the conditions and service regulations as set forth in the Order of said decision.

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

Dated at San Francisco, California, this 19th day of June, 1945.

Donald Hudson
Justice F. Casper
Richard L. Baker
Walter C. Deary
James H. Lawrence
COMMISSIONERS