

Decision No. 36059

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
WILLIS M. KLEINENBROICH, an indi-)	
vidual doing business as MODESTO)	Application No. 25874
MOTOR BUS SERVICE, for certificate)	1st Supplemental
of public convenience and necessity)	
to extend present passenger oper-)	
ations beyond the Modesto City limits.)	

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION

Under a certificate granted by the Commission, Willis M. Kleinenbroich, doing business as Modesto Bus Service, operates a local bus service as a passenger stage corporation, (as defined by Section 2½, Public Utilities Act), between Modesto and the Fairmont Avenue District and the Paradise Tract, respectively, which adjoin that city. (1) Kleinenbroich now seeks authority to abandon parts of the routes over which these districts are served, and to substitute other (2)

(1) By Decision No. 36997, rendered April 11, 1944, in this proceeding, applicant Kleinenbroich was authorized to operate a passenger stage service "(a) between 10th and J Streets in the city of Modesto, and Fairmont and Brady Avenues in the Fairmont Avenue District adjoining the northeasterly limits of said city; and (b) between 10th and J Streets in the city of Modesto and Vernon Street and Beverly Drive, in the Paradise Tract adjoining the westerly limits of said city."

(2) Decision No. 36997 authorized the operation of the service over the following routes:

"Fairmont Avenue District

Commencing at 10th and J Streets, extending thence to the intersection of Fairmont and Brady Avenues via J Street, Downey Avenue, Bodem Street, Morris Avenue, Ramona Avenue, Lucerne Avenue, Johnson Street, Iia Way and Fairmont Avenue; returning thence via Brady Avenue, Coldwell Avenue, College Avenue and 10th Street to J Street.

"Paradise Tract

Commencing at 10th and J Streets, extending thence to the intersection of Vernon Street and Beverly Drive, via 10th Street, H Street, 1st Street, Roselawn Avenue, Western Way, Franklin Street, Paradise Road, Chicago Avenue and Vernon Street; returning thence via Beverly Drive, Paradise Road, H Street and 10th Street to J Street."

routes in their place.

Under applicant's proposal, service would be afforded to more extensive areas in each of these districts than at present. In the Fairmont Avenue District the route would be shifted from Downey Avenue (east of "H" Street), Bodem Street, Morris Avenue and Ramona Street, to "H" Street, Scenic Drive, Coffee Road, and Lucerne Avenue. In the Paradise Tract the existing route via Western Way (west of Colorado Avenue) and Franklin Street (south of Paradise Road - "E" Street) would be replaced by a route traversing Colorado Avenue (south of Western Way), Pelton Avenue, Franklin Street, Rouse Avenue, and Rose Avenue, south of Paradise Road and Beverly Drive. Otherwise, both routes would remain unchanged.

Applicant alleges that the proposed new routes traverse thickly settled areas; that there is a substantial public demand for service along the proposed routes; and that those residing near the routes to be abandoned would suffer no inconvenience. Because of the additional patronage, applicant anticipates a material increase in his revenues. No change would be made in the existing fares, nor in the time schedules, except as modified by the proposed route changes.

Applicant's proposal has received the approbation of the local public authorities. Resolutions adopted by the City Council of Modesto and by the Board of Supervisors of Stanislaus County, approving the changes in routing, were submitted. The Modesto Chamber of Commerce also has expressed its approval.

The application, accordingly, will be granted. No modification of the certificate originally granted will be necessary, since only a change in routes is contemplated. This is not a matter requiring a public hearing.

FIRST SUPPLEMENTAL ORDER

Application having been made as above entitled, and the Commission having considered the matter,

IT IS ORDERED as follows:

(1) That Decision No. 36997, rendered April 11, 1944, in the above entitled proceeding be, and it hereby is, modified by amending Section 3, of Paragraph (2), of the service regulations therein set forth, to read as follows, viz.:

3. Subject to the authority of this Commission to change or modify them at any time by further order, applicant shall conduct said passenger stage operations over and along the following routes:

Fairmont Avenue District

Commencing at 10th and J Streets, thence northeast on J Street to Downey Avenue, east on Downey Avenue to the intersection of Burney, Kimble and H Streets, east on H Street and Scenic Drive to Coffee Road, north on Coffee Road to Lucerne Avenue, west on Lucerne Avenue to Johnson Street; north on Johnson Street and Ila Way to Fairmont Avenue, west on Fairmont Avenue to Brady Avenue; returning thence, south on Brady Avenue to Coldwell Avenue, west on Coldwell Avenue to College Avenue, south on College Avenue to the intersection of 10th and Needham Streets; southeast on 10th Street to J Street.

Paradise Tract

Commencing at 10th and J Streets, thence southeast on 10th Street to H Street, southwest on H Street to First Street, southeast on First Street to the intersection of Sierra Drive and Roselawn Avenue; south on Roselawn Avenue to Western Way, west on Western Way to Colorado Avenue, south on Colorado Avenue to Pelton Avenue, west on Pelton Avenue to Franklin Street, north on Franklin Street to Rouse Avenue, west on Rouse Avenue to Rose Avenue, north on Rose Avenue to Paradise Road and Beverly Drive, west on Beverly Drive, to Vernon Avenue; returning thence, north on Vernon Avenue to Chicago Avenue, east on Chicago Avenue to Paradise Road, northeast on Paradise Road and H Street to 10th Street, northwest on 10th Street to J Street.

- (2) That in all other respects said Decision No. 36997

shall remain in full force and effect.

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

Dated at Los Angeles, California, this 10th
day of July, 1945.

David C. Brown

Richard H. Ketchum

Frank W. Cline

James H. Kautel

COMMISSIONERS