

Decision No. 39100

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of MARY MARITZEN and E. B. OSTHUES, a copartnership, doing business under the firm name and style of THE MODESTO TRANSIT COMPANY, for a request for additional service routes in the City of Modesto to and from South Modesto Acres, outside the corporate city limits of Modesto, California, and intermediate points, which routes are in addition to those listed in Decision No. 37478, dated November 21, 1944, and Decision No. 37777, dated April 3, 1945, in Application No. 26364.

ORIGINAL

Application No. 27414

O P I N I O N

Mary Maritzen and E. B. Osthues partners, doing business as Modesto Transit Company, seek authority to operate over an additional route between Modesto and South Modesto Acres, situated some 3½ miles southeast of Modesto, in Stanislaus County. Applicants were authorized to conduct the service by Decision No. 37478, rendered November 21, 1944, in Application No. 26364.

The existing route, described in the service regulations, extends generally from 12th and I Streets (the Courthouse Square), in the City of Modesto, via 12th Street, H Street, 7th Street (also known as Old Highway 99), Boulder Avenue, Hatch Road, Crows Landing Road and 3rd Avenue to Seattle Avenue, in Modesto Acres. Returning, it follows 2nd Avenue, Crows Landing Road; Rio Grande Avenue, Santa Fe Avenue and Broadway to Boulder Avenue; and it reaches the Courthouse Square via I Street.

Applicants propose to establish an additional route commencing at 12th and I Streets, extending via 12th Street, H Street, 9th Street (U.S. Highway No. 99), Hatch Road, Boulder

Avenue, El Paso Avenue, Crows Landing Road, 2nd Avenue, Seattle Street and 3rd Avenue to Olympia Street, in Modesto Acres. Excepting the approach to Courthouse Square, which would be via I Street, the return route would be identical. Throughout the greater part of its distance, the proposed route would follow U.S. Highway No. 99 rather than 7th Street, the former highway; it would traverse El Paso Avenue one block north of Broadway, and would extend to Olympia Street one block west of Seattle Street, the present terminus.

This proposal, applicant states, was occasioned by requests on the part of residents of South Modesto Acres, many of whom are not served adequately by the present route. Both the City Council of Modesto and the Board of Supervisors of Stanislaus County have formally approved the application, resolutions to this effect having been submitted to the Commission. No other common carrier serves the territory.

In our judgment, the additional route sought would accommodate a definite public need. The application, accordingly, will be granted. This is not a matter requiring a public hearing.

O R D E R

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

IT IS ORDERED as follows:

(1) That Decision No. 37478, rendered November 21, 1944, in Application No. 26364, be and it hereby is modified by adding to the route described in subdivision 3 of the service regulations, set forth in Paragraph (2) of the order contained in said decision, the following route, viz.:

Route (b). - Commencing at 12th and I Streets, in the City of Modesto, thence south on 12th Street to H Street; west on H Street to 9th Street (also designated as U.S. Highway No. 99); south on 9th Street and U.S. Highway No. 99 to Hatch Road, outside the corporate limits of the City of Modesto and within the County of Stanislaus; west on Hatch Road to Boulder Avenue; north on Boulder Avenue to El Paso Avenue; west on El Paso Avenue to Crows Landing Highway; south on Crows Landing Highway to 2nd Avenue; west on 2nd Avenue to Seattle Street; south on Seattle Street to 3rd Avenue; west on 3rd Avenue to Olympia Street, in Modesto Acres.

Returning via the same route to the intersection of 9th and I Streets; thence east on I Street to 12th Street.

(2) That the existing route described in subdivision 3 of said service regulations shall be designated as Route (a), and the optional route, hereinabove described, as Route (b).

(3) That in all other respects said Decision No. 37478 shall remain in full force and effect.

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

Dated at San Francisco, California, this 18th day of June, 1946.

Harold Ruden
Justin J. Querner
Francis Egan
Scott Lawrence
Harold Kule
COMMISSIONERS