

Decision No. 39509

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
WILLIS M. KLEINENBROICH, d.b.a. the)
MODESTO MOTOR BUS SERVICE and)
MODESTO RIVERBANK OAKDALE STAGE LINE)
requesting an extension of time be-)
yond the limit of eleven months and)
twenty five days for repayment of)
bank loan.)
-----)

ORIGINAL

Application
No. 27886

OPINION AND ORDER

Willis M. Kleinenbroich, doing business under the names of Modesto Motor Bus Service and Modesto Riverbank Oakdale Stage Line, is engaged in operating motor vehicles primarily for the transportation of passengers in and about Modesto and between Modesto and Oakdale. As of December 31, 1945, he reports that he owned and operated five motor coaches for the transportation of passengers and one combination van and bus for the transportation of passengers, mail and express. For the year 1945, he reported his operating revenues at \$36,803 and his net profit at \$8,824.

The application shows that in February, 1946, applicant purchased two 1946 Ford transit type coaches for a total price of \$14,133.50; that he paid \$3,133.50 thereof in cash and that he executed a conditional sale contract in the principal amount of \$11,000; dated February 10, 1946, and payable on or before February 10, 1947; of which amount there remains unpaid the sum of \$6,200. The application further shows that in September, 1946, he purchased still another 1946 Ford transit type coach for \$7,123.33 and that he borrowed an additional \$5,700 to meet, in

part, such cost.

It now appears that applicant desires to consolidate the two items of indebtedness and that he has arranged to borrow \$11,900 from The Anglo California National Bank, payable over a period of twelve months, with interest at the rate of six percent per annum, in monthly installments of \$1,500 on the fifteenth days of October and November, of \$500 on the fifteenth day of each of the months from December, 1946, to August, 1947, and \$4,400 on September 15, 1947. The payment of the indebtedness will be secured by a mortgage of chattels covering the three buses, a copy of which mortgage has been filed in this proceeding as Exhibit "B".

The Commission has considered this matter and is of the opinion that the money, property or labor to be procured or paid for through the execution of the mortgage of chattels is reasonably required for the purpose specified herein, which purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income, therefore;

IT IS HEREBY ORDERED as follows:

1. Willis M. Kleinenbroich, after the effective date hereof and on or before November 30, 1946; may execute a mortgage of chattels in, or substantially in, the same form as that filed in this proceeding as Exhibit "B", to secure the payment of indebtedness in the principal amount of \$11,900, payable as indicated herein, in order to pay or refund outstanding indebtedness of like amount incurred in the purchase of the three 1946 Ford transit type buses referred to herein.

2. Applicant shall file with the Commission a report as required by the Commission's General Order No. 24-A, which order, insofar as applicable, is made a part of this order.

3. The authority herein granted will become effective when applicant has paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is Twenty-five (\$25.00) Dollars.

Dated at San Francisco, California, this 15th day of October, 1946.

Harold A. Kula

Justus F. Calver

Isaac H. Powell

R. F. Anderson
Commissioners

