

**ORIGINAL**

Decision No. 39752

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
EDWARD SEFRIN HEYEN, an individual,)	
to abandon certain operations, and )	
to extend existing operations to )	Application No. 27978
include Thermalito district and )	
Palermo district and the west sec- )	
tion of the city of Oroville. )	

OPINION

Applicant's passenger stage service between Oroville and nearby suburban communities was initially authorized by Decision No. 39308, issued August 13, 1946, in Application No. 27553. He seeks to extend his operations to serve the Butte County Hospital and Thermalito District lying north of the city, and the Palermo District to the south, as well as the western portion of the city itself. Residents of those districts, it is alleged, are vigorously pressing for local bus transportation, supported by civic organizations which have expressed criticism of the somewhat limited scope of the present service. The Butte County Hospital near Thermalito, the Oroville Steam Laundry in West Oroville, and the Smith-Drobish Olive Mill in Palermo are among the business enterprises that would be benefited, it is stated, by the proposed expansion. Minor reroutings are also requested in order to lessen traffic hazards created by excessive turning of vehicles, and in the interest of greater operating economies.

On the West Oroville route, applicant offers an hourly schedule each way between 6:46 a.m. and 6:17 p.m., daily except Sundays and holidays, including a special morning school schedule.

On the Palermo extension, to be served via Palermo Highway, on one route and via Upper Palermo Road on the other, morning; afternoon and school schedules are to be provided at convenient times between 7:18 a.m. and 5:58 p.m. On the Thermalito extension, to be served by two routes, one via the Butte County Hospital and the other via Grand Avenue, morning; afternoon, early evening and school schedules are offered, some on a daily and others on a daily except Sundays and holiday basis, between 8:22 a.m. and 7:01 p.m. In addition, applicant proposes a three round-trip daily service between Oroville and the hospital, and a special early morning inbound service, daily except Sundays and holidays, between Paxton Subdivision (located between Oroville and Palermo) and Oroville, via Cannery Road. Existing local and interzone fare relationships are to be continued in effect. Service will be provided with two 33-passenger seating capacity coaches, with additional equipment to be added as required.

Other carriers operating in the territory, but not rendering an essentially local service such as that contemplated by applicant, have stated that they have no objection to the granting of the application.

Although applicant has only requested a certificate to extend his operations, it would seem to be appropriate, in view of the major scope of his proposals, to issue a new certificate covering both present and proposed operations, in place of the operative right conferred by Decision No. 39308, and to cancel the certificate granted by that decision. We find that public convenience and necessity so require, and the following order will so provide. A public hearing is not necessary.

O R D E R

Application having been made and it having been found that public convenience and necessity so require,

IT IS ORDERED that a certificate of public convenience and necessity be and it is hereby granted to Edward S. Heyen, authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 24 of the Public Utilities Act, for the transportation of passengers between the city of Oroville and the districts known as Paxton Subdivision, Pleasant Valley, Foothill District, Thermalito District and Palermo District, and intermediate points, said certificate not to be in addition to but in the place and stead of all existing passenger stage operative rights now held by applicant, granted by order of the Commission in Decision No. 39308, dated August 13, 1946, in Application No. 27553, which order is hereby cancelled.

IT IS FURTHER ORDERED that in the operation of said passenger stage service, Edward S. Heyen shall comply with and observe the following service regulations:

- a. Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed 30 days from the effective date hereof.
- b. Within 60 days from the effective date hereof and on not less than 5 days' notice to the Commission and the public, applicant shall establish the service herein authorized and comply with the provisions of General Order No. 79 by filing in triplicate appropriate tariffs.
- c. Subject to the authority of this Commission to change or modify them by further order, applicant shall conduct operations pursuant to the certificate herein granted over and along the following routes:

ROUTE 1. Beginning at the intersection of Bird Street and Myers Street, west on Bird Street to Lincoln Street, north on Lincoln Street to Montgomery Street, east on Montgomery Street to Myers Street, south on Myers Street to Baldwin Avenue, east on Baldwin Avenue to Spencer Avenue, south on Spencer Avenue to Mitchell Avenue, east on Mitchell Avenue to its intersection with Bridge Street.

ROUTE 2. Beginning at the intersection of Spencer Avenue and Oro Avenue, east on Oro Avenue to Washington Avenue, north on Washington Avenue to Yard Street, east on Yard Street to Hammon Avenue, north on Hammon Avenue to Brereton Way, east on Feather River Highway to its intersection with Long Bar Road.

ROUTE 3. Beginning at the intersection of Baldwin Avenue and Myers Street, south on Myers Street to its intersection with Cannery Road.

ROUTE 4. Beginning at the intersection of Bird Street and Lincoln Street, south on Lincoln Street to Grant Avenue, southwest on Grant Avenue to Pine Street, south on Pine Street to Olive Avenue, east on Olive Avenue and Third Street and Cannery Road to its intersection with Myers Street.

ROUTE 5. Beginning at the intersection of Lincoln Street and Bird Street, west on Bird Street to Seventh Avenue, south on Seventh Avenue to Pomona Avenue, west on Pomona Avenue to its intersection with Marysville Road.

ROUTE 6. Beginning at the intersection of Mitchell Avenue and Danielson Avenue, south on Danielson Avenue to Wyandotte Avenue, east on Wyandotte Avenue to Roseben Avenue, south on Roseben Avenue to Houston Street, west on Houston Street to Palermo Road, south on Palermo Road to Grove Street, east on Grove Street to Virginia Avenue, south on Virginia Avenue to its intersection with Palermo Highway.

ROUTE 7. Beginning at the intersection of Cannery Road and Myers Street, south on Myers Street and Palermo Road and Palermo Highway to its intersection with Virginia Avenue.

ROUTE 8. Joining Routes 6 and 7. Beginning at the intersection of Danielson Avenue and Wyandotte Avenue, west on Wyandotte Avenue to its intersection with Myers Street.

ROUTE 9. Beginning at the intersection of Long Bar Road and Feather River Highway, east on Feather River Highway to Acacia Avenue, southeast on Acacia Avenue to its intersection with Buena Vista Avenue.

ROUTE 10. Beginning at the intersection of Mitchell Avenue and Quincy Road, southeast on Quincy Road to Buena Vista Avenue, northeast on Buena Vista Avenue to its intersection with Acacia Avenue.

ROUTE 11. Joining Routes 12 and 13. Beginning at the intersection of Nelson Avenue and Fourth Street, south on Fourth Street to its intersection with Grand Avenue.

ROUTE 12. Beginning at the intersection of Hammon Avenue and North Villa Street, northwest on North Villa Street to Chico Road, north on Chico Road to Mono Avenue, west on Mono Avenue to Butte County Hospital, west on Nelson Avenue to Twelfth Street, south on Twelfth Street to its intersection with Feather Avenue.

ROUTE 13. Beginning at the intersection of Chico Road and Grand Avenue, west on Grand Avenue to Tenth Street, south on Tenth Street to Nevada Avenue, west on Nevada Avenue to its intersection with Twelfth Street.

ROUTE 14. Beginning at the intersection of Virginia Avenue and Palermo Highway, south on Palermo Highway to its intersection with Honcut Highway.

ROUTE 15. Beginning at the intersection of Roseben Avenue and Houston Street, east on Houston Street and south on Upper Palermo Road to Honcut Highway, west on Honcut Highway to its intersection with Palermo Highway.

Applicant is authorized to turn his motor vehicles at termini and intermediate points, in either direction, at the intersection of the street or by operating around a block contiguous to such intersection, or in accordance with local traffic rules.

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

Dated at San Francisco, California, this 16<sup>th</sup>

day of December, 1946.

Harold Kuls  
Justice F. Green  
Francis Egan  
Scott Powell  
R. J. ...  
COMMISSIONERS