

ORIGINALDecision No. 41167

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 PACIFIC GREYHOUND LINES, and O.C. &)
 N. STAGES, INC., both California) Application No. 28995
 corporations, for an order autho-)
 rizing the transfer of a certificate)
 of public convenience and necessity:)

O P I N I O N

O. C. & N. Stages, Inc. pursuant to the authority of Decision No. 23145 in Application No. 16872 and Decision No. 30146 in Application No. 21447 is conducting service as a passenger stage corporation between Susanville, Likely, Alturas, Canby, Tule Lake and a point on the California-Oregon State line near Merrill, Oregon including intermediate points. Decision No. 23145 also authorized O. C. & N. Stages, Inc. to provide a passenger stage service on an "on-call" basis between Susanville and Canby and other points via Merrillville.

The Commission is requested to authorize O. C. & N. Stages, Inc. to transfer the above described operative rights to Pacific Greyhound Lines and the latter requests authority to acquire such operative rights. By its amended application, Pacific

(1) Decision No. 24162 in Application No. 17673 heretofore authorized O.C. & N. Stages, Inc. to sell and transfer certain of the operative rights created by said Decision No. 23145 which are not involved in this proceeding. Decision No. 30146 authorized service between Cornell and a point on the California-Oregon line about four miles south east of Merrill via Tule Lake in substitution of service between Cornell and a point on said state line near Malin, Oregon.

Greyhound Lines requests the Commission to grant to it a new certificate in the place and stead of the operative rights it seeks to acquire from O.C. & N. Stages, Inc. with the exception of the right between Susanville and Canby via Merrillville.

The operative right between Susanville and Canby via Merrillville authorized service on an "on-call" basis. According to the amended application there is and has been no demand for said "on-call" service and no such service has in fact been rendered and applicant Pacific Greyhound Lines does not desire to hold itself out to perform said "on-call" service.

According to the application Pacific Greyhound Lines has received authority from the Interstate Commerce Commission to purchase and acquire all the outstanding capital stock of O.C. & N. Stages, Inc. The authority herein requested is to enable applicants to consummate the acquisition and merger which has been authorized by the Interstate Commerce Commission. Applicant Pacific Greyhound Lines upon consummation of the acquisition and merger proposes to continue all the passenger stage operations presently conducted by O.C. & N. Stages, Inc.

Upon full consideration it is our conclusion that the proposed merger is in the public interest and should be authorized. No public hearing is necessary.

O R D E R

An application therefor having been filed, the Commission being fully informed therein and it being found that the proposal of applicants is in the public interest and good cause appearing,

IT IS ORDERED:

(1) That, after the effective date hereof and on or before March 31, 1948, O.C. & H. Stages, Inc., may transfer to Pacific Greyhound Lines, and the latter may acquire from the former the passenger stage certificate between Susanville and a point on the California-Oregon State boundary about four miles southeasterly of Merrill, Oregon, and intermediate points via Johnstonville, Likely, Alturas, Canby and Tule Lake, and between Susanville and Canby via Merrillville and Hayden Hill as created by Decision No. 23145 in Application No. 16372 and Decision No. 30146 in Application No. 21447.

(2) That in the place and stead of the operative rights referred to in paragraph (1) of this order the Commission hereby grants to Pacific Greyhound Lines a new certificate of public convenience and necessity authorizing service as a passenger stage corporation, as defined in Section 24 of the Public Utilities Act, for the transportation of passengers, baggage and packages of express weighing 100 pounds or less on passenger carrying vehicles only, between Susanville and a point on the California-Oregon State boundary about four miles southeasterly of Merrill, Oregon, and intermediate points via Johnstonville, Litchfield, Likely, Alturas, Canby and Tule Lake as an extension and enlargement of and consolidated with the operative rights created by Decision No. 23244 in Application No. 16989.

(3) That upon the consummation of the transfer authorized herein, and the acceptance of the new certificate granted herein, the operative rights referred to in paragraph (1) of this order are hereby revoked and annulled.

(4) That upon consummation of the transfer of the operative rights authorized herein, and in providing service pursuant to the new certificate granted, applicants shall comply with and observe the following service regulations:

- a. Pacific Greyhound Lines shall on or before March 31, 1948 and after the effective date hereof file a written acceptance of the certificate herein granted together with a true copy of the bill of sale or other documents evidencing transfer of title of the properties herein authorized to be transferred.
- b. On or before March 31, 1948 and after the effective date hereof and on not less than 5 days' notice to the Commission and the public, Pacific Greyhound Lines shall establish the service herein authorized and applicants shall comply with the provisions of General Orders Nos. 79 and 80 and Part IV of General Order No. 93-A by filing in triplicate and concurrently making effective appropriate tariffs and time tables.
- c. Subject to the authority of this Commission to change or modify it by further order, operations pursuant to the certificate herein granted shall be conducted over and along the following route:

Beginning at Susanville, thence over and along California State Highway No. 36 to Johnstonville, thence to Alturas via U. S. Highway No. 395, thence via U. S. Highway No. 299 to its junction with California State Highway No. 139 one-half mile west of Canby, thence via California State Highway No. 139 to the California-Oregon boundary.

The effective date of this order shall be 20 days from the date hereof.

Dated at San Francisco, California, this 27th day of January, 1948.

R. J. [Signature]

[Signature]

[Signature]

COMMISSIONERS