

Decision No. 41262**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 WILLIS M. KLEINENBROICH (MODESTO MOTOR)
 BUS SERVICE) for modification of certain)
 routes.)

Application No. 25874
 (Second Supplemental)

In the Matter of the Application of E.)
 M. LESTER for a certificate to operate)
 passenger service between Modesto and)
 the suburbs lying to the north and)
 northwest.)

Application No. 28342

E. M. Lacy, for Willis M. Kleinenbroich; Ronald E. Bates, for
E. M. Lester; Frank Damrell, for Modesto Transit Company,
 interested party.

INTERIM OPINION AND ORDER

These applications, relating to motor bus service in Modesto and its northern environs, were submitted for decision, subject to the filing of briefs, following a public hearing at Modesto on December 9, 1947, before Examiner Gregory. The time for filing briefs has been extended, and the closing brief is due March 12, 1948.

Willis M. Kleinenbroich, applicant in Second Supplemental Application No. 25874, has asked that the Commission now issue an interim order permitting a minor route change, requested in the application, in a portion of his Paradise Tract route southwest of the city. It is stated that many calls are being received for service along the proposed route, and that the other applicant, Lester, is not interested in this phase of the proceeding, since the area involved is not competitive with Lester's proposed service. Lester's counsel has advised the Commission that his client has no objection to the

issuance of such an interim order. Moreover, the evidence of record indicates that the proposed rerouting would be desirable.

Under the circumstances the request appears to be reasonable, and it will be granted on a temporary basis subject, however, to such further order as the Commission may issue upon final determination of the joint proceedings. As the public interest involved indicates the desirability of placing the proposed change of route in effect without unnecessary delay, the order herein will be given immediate effect.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Decision No. 36997 issued April 11, 1944, in Application No. 25874, as amended with respect to applicant's Paradise Tract route by Decision No. 38059, dated July 10, 1945, in First Supplemental Application No. 25874, be and it is hereby further modified by further amending Section 3 of Paragraph (2) of the service regulations set forth in said Decision No. 36997, to read as follows:

"Paradise Tract

Commencing at the intersection of 10th and J Streets in the City of Modesto, thence on 10th Street, H Street, First Street, Roselawn Avenue, Western Way, Colorado Avenue, Pelton Avenue, South Franklin Street, Robertson Road, Vernon Avenue, Waverly Drive, Normandy Drive, Beverly Drive, Vernon Avenue, Chicago Avenue, Paradise Road, Franklin Street, California Avenue, and H Street to the intersection of First Street."

(2) That in all other respects said Decision No. 36997 as amended by Decision No. 38059, shall remain in full force and effect.

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

Dated at San Francisco, California, this 2nd day of March, 1948.

R. I. [Signature]
Justus F. Crocker
Frank H. Russell
Harold P. [Signature]
Samuel D. [Signature]
 COMMISSIONERS