

ORIGINAL

Decision No. 42985

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CHESTER R. SMITH and ORA B. SMITH,)
partners doing business as SANTA CRUZ)
TRANSIT COMPANY, for a new certificate)
to operate passenger stage service)
between Santa Cruz and Capitola and)
intermediate points and to reroute)
operations over Route E, also to)
reroute operations over Route A in)
the City of Santa Cruz.)

Application No. 30300

H. C. Lucas and H. C. Lucas, Jr., for applicants.

O P I N I O N

Chester R. Smith and Ora B. Smith, copartners doing business as Santa Cruz Transit Company, are engaged in operations as a passenger stage corporation in Santa Cruz and certain adjacent territory. By this application, they seek authority to extend their operations so as to serve (1) Capitola and (2) additional territory in the northerly portion of Santa Cruz adjacent to an existing route known as "Route A". The proposed Capitola extension also contemplates the abandonment of operations over Forty-First Avenue between Capitola Drive and Lower Soquel Road (sometimes called Capitola Road). A public hearing was held before Examiner Bradshaw at Santa Cruz.

Applicants' manager testified that numerous requests to serve the additional territory have been received; and that the carrier is adequately equipped and financially able to render the proposed service. According to the testimony, the portion of Forty-First Street over which it is proposed to discontinue service

— a distance of .8 miles — is sparsely populated. During the 15 days immediately prior to the hearing only 27 passengers were picked up or discharged in this area, although 12 daily schedules in each direction were operated over the route. Applicants' manager also testified that the proposed routes will more conveniently serve districts in which considerable development is taking place. No change in frequency of service or fares is proposed.

Two members of the Capitola City Council presented testimony in support of the establishment of service between Santa Cruz and Capitola.

No objections to the granting of the application have been received. Pacific Greyhound Lines, which operates passenger bus service between Santa Cruz and numerous other points, signified in writing that it does not protest the granting of the application in its present form.

Upon the facts presented, the Commission is of the opinion and finds that public convenience and necessity require that applicants establish and operate a service for the transportation of passengers between Santa Cruz and Capitola and intermediate points. We further find that authority to effect changes in existing routes in order to provide more adequate service should be granted, as applied for.

O R D E R

A public hearing having been had in the above-entitled proceeding, and the Commission having found that public convenience and necessity so require and that in other respects the application

should be granted,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be and it is hereby granted to Chester R. Smith and Ora B. Smith, copartners, authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 2½ of the Public Utilities Act, for the transportation of passengers between Santa Cruz and Capitola and intermediate points, as an extension and enlargement of their existing operative rights.

(2) That Route A, as described in the service regulations prescribed by Paragraph (3) of the order in Decision No. 38613, dated January 15, 1946, in Application No. 27149, be and it is hereby amended to read as follows:

Route A - (Mission-Cliffs).- Beginning at the intersection of Beach Street and Cliff Street; thence along Beach Street, Washington Street, Pacific Avenue, Mission Street, Bay Street, Lighthouse Avenue, Santa Cruz Street, Delaware Avenue, Woodrow Avenue to Pelton Street, Woodrow Avenue, Errett Circle, Younglove Avenue and Mission Street to Bay Street.

(3) That Route E, as described in the service regulations prescribed by Paragraph (3) of the order in Decision No. 38613, as amended by Decision No. 40782, dated October 6, 1947, in Application No. 28718, be and it is hereby further amended to read as follows:

Route E - (Live Oak, Opal Cliffs and Pleasure Point).- Beginning at 912 Pacific Avenue (formerly 301 Pacific Avenue); thence along Pacific Avenue, Water Street, Soquel Avenue, Santa Cruz-Watsonville Highway, Lower Soquel Road (sometimes called Capitola Road), Seventeenth Avenue, Capitola Drive, Houghton Avenue, Cliff Drive, Forty-First Avenue, Capitola Drive, Bay Avenue (Capitola), Capitola Avenue (Capitola), Stockton Street

(Capitola), Lower Soquel Road (sometimes called Capitola Road) Chanticleer Avenue and Rodriguez Avenue to Lower Soquel Road.

(4) That pursuant to the certificate and authorization herein granted, applicants shall comply with and observe the following service regulations:

- a. Applicants shall file a written acceptance of the certificate herein granted within a period of not to exceed 30 days after the effective date hereof.
- b. Applicants shall, within 60 days after the effective date of this order and on not less than 5 days' notice to the Commission and the public, establish the service herein authorized and comply with the provisions of General Order No. 79 and Part IV of General Order No. 93-A, by filing, in triplicate, and concurrently making effective, appropriate tariffs and time schedules.

The effective date of this order shall be 10 days after the date hereof.

Dated at San Francisco, California, this 14th day of June, 1949.

R. F. [Signature]
Justus F. [Signature]
Chas. H. [Signature]
Harold P. [Signature]
[Signature]
COMMISSIONERS