

Decision No. 42504

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
GIBSON LINES, a corporation, for a )  
certificate of public convenience and )  
necessity, authorizing it to operate )  
as a passenger stage corporation for )  
the transportation of passengers, )  
baggage and express between Folsom )  
and the Folsom Damsite, and to )  
consolidate such operation with the )  
remainder of applicant's transporta- )  
tion system. )

Application No. 29707  
2nd Supplemental

SECOND SUPPLEMENTAL OPINION AND ORDER  
AMENDING DECISION NO. 42277

By Decision No. 42277, dated November 30, 1948, Gibson Lines was granted a certificate to operate as a passenger stage corporation, as defined in Section 24 of the Public Utilities Act, for the transportation of passengers, baggage and express between Folsom, Folsom Damsite, and all intermediate points, as an extension and enlargement of and consolidated with its existing certificate.

The order further provided that applicant should accept the certificate within 30 days and commence service within 60 days of the effective date thereof, which was 20 days after November 30, 1948, the date of the order.

By Decision No. 42466, dated February 1, 1949, subparagraph (a) and (b) of Decision No. 42277 were amended to read as follows:

- "(a) Applicant shall file written acceptance of the certificate herein granted within 60 days from the effective date hereof.

"(b) Within 240 days from the effective date hereof and on not less than 5 days' notice to the Commission and the public, the applicant shall establish the service herein authorized and comply with the provisions of General Orders Nos. 79, 80 and 93-A, by filing in triplicate, and concurrently making effective appropriate tariffs and time schedules."

In this second supplemental application, Gibson Lines alleges that at the time of the filing of the original application herein, it was believed that the Federal Government would in the near future appropriate additional money for the construction of the Folsom Dam, located between three and four miles north of the town of Folsom and that to date certain engineering studies have been made but no large scale construction work has begun. For these reasons, applicant believes a passenger stage service is not justified between Folsom and Folsom Damsite at the present time and states further that it is uncertain as to exactly when such construction work will begin at the Folsom Damsite.

For the foregoing reasons, applicant requests that subparagraph (b) of the original order, as amended, be further amended to permit the commencement of the service within 600 days from the effective date of said original order.

The request does not appear to be justified for the reason that the applicant is uncertain as to when the service proposed will be required by the public. There is no assurance that even if the time to commence service were extended to 600 days from the date of the original order there would then be any need for the service. It is our conclusion, therefore, that the request for an extension should be denied without prejudice to filing a new application when the need for service becomes certain. A public hearing

is deemed unnecessary.

It appears that the certificate granted by Decision No. 42277 by its terms expired. However, in order to clear the records, it is deemed advisable to formally revoke it.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Second Supplemental Application No. 29707 be, and is hereby, denied without prejudice.

(2) That the certificate to operate as a passenger stage corporation granted by Decision No. 42277 in Application No. 29707 be, and is hereby, revoked.

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

Dated at San Francisco, California, this 7<sup>th</sup> day of November, 1949.

R. Z. Zimmerman  
Justice F. Cramer  
James F. Russell  
Harold P. Kula  
Kenneth P. Patten  
COMMISSIONERS