

Decision No. 44343

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
ROBERT MAHER and HORACE SIMMONS for)
certificate of public convenience)
and necessity to operate bus service)
between Vacaville, California, and)
Fairfield, California, via Fairfield)
Suisun Air Force Base.)

ORIGINAL

Application No. 30880
1st Supplemental

Robert Maher and Horace Simmons, applicants in propria
persona.
John R. Ave, for 21 Transport Company, protestant.

O P I N I O N

Robert Maher and Horace Simmons, herein request authority to revise the routes over which they presently conduct a passenger stage service ⁽¹⁾ between (a) Vacaville and Fairfield-Suisun Air Force Base and (b) Fairfield and Fairfield-Suisun Air Force Base.

A public hearing was held on Friday, June 2, 1950 at Fairfield before Examiner Silverhart and the matter submitted for decision.

Applicants, as part of their testimony, spread the application on the record. The proposed revision is therein described as follows: "Beginning at the Fairfield-Suisun Army Airforce Base, thence via Walters Road, thence via State Highway 12 via Suisun to Fairfield. This route to be a regular route. As an alternate route from the junction of Walters Road and State Highway 12 via State Highway 12 to the South Gate of the Fairfield-Suisun Army Airforce Base." Applicants also seek authority to serve intermediate points between Fairfield and Fairfield-Suisun Army Airforce Base and between Vacaville and Fairfield-Suisun Army Airforce Base.

(1) Operating rights were created by Decision No. 43819, dated February 14, 1950, in Application No. 30880.

Applicants testified that they are requesting such revised routes because (1) the Pacific Greyhound Lines formerly traversed such route; (2) requests for such service have been received from seven or eight persons; and (3) they would be enabled to transport passengers between Fairfield and Suisun between which points there presently is no service. No public witnesses were called in support of the application.

Syde J. Kalil and William E. Martin, protestants, by Decision No. 43892, dated March 7, 1950, in Application No. 30923, were granted authority to transport passengers from Benicia to Fairfield-Suisun Army Air Base via Suisun and State Highway 12.

✓ Protestants' testimony showed that they operate daily between Suisun and Fairfield Army Air Base leaving Suisun on the hour and the Air Base on the half hour, from 7:30 a.m. to 5:15 p.m. Thereafter service is provided between 8 p.m. and 12:15 a.m. Protestants testified that they transport approximately 50 passengers daily between Suisun and the Fairfield-Suisun Army Air Base during the hours from 7:15 a.m. to 5:15 p.m. and one passenger from 8 p.m. to 12:15 a.m.; that one bus is utilized in rendering such service; that they own four other buses which are available when needed.

The evidence of record does not demonstrate that protestants are not furnishing adequate service between Suisun and Fairfield-Suisun Army Air Force Base nor that there is a public need for the additional service contemplated by the revised routes proposed by applicants.

Applicants state that they inadvertently neglected to request authority to serve points intermediate between Vacaville and Fairfield-Suisun Army Air Force Base and between Fairfield and Fairfield-Suisun Army Air Force Base at the time of filing their original application. Applicants will be permitted to serve such points only in connection with the regular routes as authorized

by Decision No. 43819, dated February 14, 1950. The within application will be denied in all other respects.

O R D E R

A public hearing having been had and basing this order upon the evidence therein adduced,

IT IS ORDERED:

(1) That ordering paragraph (1) of Decision No. 43819, dated February 14, 1950, in Application No. 30880, is hereby amended so as to read as follows:

"(1) That a certificate of public convenience and necessity be and it is hereby granted to Robert Maher and Horace Simmons authorizing them to establish and operate a service as a passenger stage corporation, as defined in Section 24 of the Public Utilities Act, for the transportation of passengers between (a) Vacaville and the Fairfield-Suisun Air Force Base and intermediate points, and between (b) Fairfield and the Fairfield-Suisun Air Force Base and intermediate points, subject to the restriction that service shall not be furnished intermediate points along and over the alternate route hereinafter described."

(2) That except as provided in paragraph (1) hereof, Application No. 30880, first supplemental, is hereby denied.

The effective date of this order shall be twenty (20) days after the date hereof.

Dated at San Francisco, California, this 20th day of June, 1950.

R. F. Zimmerman

James H. Quinn

Harold P. Kula

Frederick W. Potter
COMMISSIONERS