

**ORIGINAL**Decision No. 44725

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 J. C. Rutherford doing business as )  
 Lompoc Valley Stages for an order ) Application No. 30999  
 granting authority to abandon service. )

O P I N I O N

Applicant, J. C. Rutherford doing business as Lompoc Valley Stages requests authority to abandon a passenger stage service between Lompoc and Buellton and intermediate points and between Lompoc and Surf and intermediate points.

The operative rights between Lompoc and Buellton were created by Decision No. 41322, dated March 16, 1948, in Application No. 29081, and between Lompoc and Surf by Decision No. 42048, dated September 21, 1948, in Application No. 29668.

As justification for the authority sought applicant alleges that his total operations have resulted in a loss for the year 1949,<sup>(1)</sup> that his attempts to increase his revenue by acquiring mail contracts and additional express revenue, have been unsuccessful; that there is no assurance he will continue to carry express for the Railway Express Agency and Pacific Greyhound Lines; that the small amount of traffic between these points does not warrant continuation of the operation; that he cannot sustain any additional operating loss; that he has posted notice of request for abandonment at his

(1) Revenue and Expenses Year Ending 12/31/49

	<u>Lompoc-Buellton</u>	<u>Lompoc-Surf</u>	<u>Total</u>
Revenue*	\$ 4,614.37	\$ 2,345.43	\$ 6,959.80
Expenses	5,383.66	3,068.69	8,452.35
Net Loss	\$ 769.29	\$ 723.26	\$ 1,492.55

\* Includes Revenue from Passengers, Baggage and Express

place of business and in his buses; that he has also notified Southern Pacific Company, Railway Express Agency, Pacific Greyhound Lines, the City Attorney for the City of Lompoc and the District Attorney for the County of Santa Barbara of his proposal to abandon service.

All of the parties notified, with the exception of the City Attorney of Lompoc, have informed the Commission in writing that they do not desire to protest the granting of the above-entitled application. The City Attorney has informed the Commission by letter that the City of Lompoc would not protest the granting of the application in the event a commitment could be obtained from Pacific Greyhound Lines to render a passenger stage service in place of that to be abandoned by applicant. Inasmuch as Pacific Greyhound Lines is not a party to this application, it cannot, therefore, be considered in the instant proceeding. The requested authority to abandon service has been considered upon its own merits without advertng to any collateral matters beyond the scope of the application.

After full consideration of the facts the Commission is of the opinion and finds that the requested authority to discontinue service should be granted. The certificates will be revoked. A public hearing is not necessary.

Therefore, good cause appearing,

IT IS ORDERED as follows:

(1) That J. C. Rutherford is hereby authorized to discontinue and abandon operations between Lompoc and Buellton and between Lompoc and Surf.

(2) That the certificates of public convenience and necessity authorizing such operations granted by Decision No. 41322 in Application No. 29081 and Decision No. 42048 in Application No. 29668 are hereby revoked and annulled.

(3) That applicant shall file in triplicate appropriate supplements to his tariffs and time tables within 60 days from the effective date hereof and on not less than 5 days' notice to the Commission and the public showing the discontinuance of service as heretofore authorized.

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

Dated at San Francisco, California, this 29th day of August, 1950.

R. T. Dwyer  
Justice J. C. ...  
Harold P. ...  
Herbert P. ...  
COMMISSIONERS