

ORIGINAL

Decision No. 45453

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 DAVID E. HAUK, dba Redlands Bus Lines,)
 for authority to amend his certificate)
 of operative rights acquired by him)
 through Decision No. 44077 on Appli-)
 cation No. 31252 (which were acquired) Application No. 31455
 by the former owner under Decisions) First Supplemental.
 Nos. 42213, 42290 and 43833) by)
 changing certain streets and con-)
 solidating bus routes in the routes)
 now followed by his bus lines in the)
 Redlands, Mentone and Yucaipa areas.)

Rex W. Cranmer for Roscoe R. Deaton; L. H. Myers for
 Redlands Chamber of Commerce; Clarence A. Martin for the Business
 Men's Association of Yucaipa; interested parties.

O P I N I O N

Applicant purchased operating rights in and around the
 City of Redlands pursuant to authority of this Commission by
 Decision No. 44077, dated April 25, 1950, on Application No.
 31252, from Buster Lee Burris. Mr. Burris' rights were acquired
 under certificates granted by this Commission ⁽¹⁾. The appli-
 cation alleged that the operation had proved a financial failure,
 and the applicant was forced to cease operations December 1, 1950,
 because of lack of funds and the deterioration of equipment.

A public hearing in the above-entitled matter was held
 at Redlands on February 23, 1951, before Examiner Rowe, at which

(1) Decision No. 42213, dated November 9, 1948, on Application
 No. 29724; Decision No. 42290, dated December 7, 1948, on
 Application No. 29846; and Decision No. 43833, dated
 February 20, 1949, on Application No. 30775.

time evidence was adduced and the matter was submitted for decision.

Applicant failed to appear at the hearing, but sent a letter to the Commission, dated February 19, 1951, stating that he was earning only \$1.00 an hour as a bus driver, and consequently could not take the time because of the urgent necessity of earning enough to sustain himself and his family. No one appeared to protest the granting of the application. However, evidence was submitted on behalf of Roscoe R. Deaton that there was a public need for a bus service between Redlands and Yucaipa. Mr. Deaton stated that he was preparing to file an application for a certificate of public convenience and necessity to authorize him to act as a passenger stage corporation between said points. Many public witnesses presented themselves at the hearing in support of the anticipated application of Mr. Deaton. This evidence was not fully received, for the reason that it was considered unduly cumulative.

Upon full consideration of the record in this proceeding, it is found as a fact that applicant is financially unable to continue this operation, and that applicant's said motor bus operation in and around Redlands and between said city and Yucaipa has not been, and cannot by him be made, profitable, and that consequently the public interest will not be affected adversely by permitting him legally to continue the abandonment of this operation. Accordingly, the application will be granted.

O R D E R

Application as above entitled having been filed, a public hearing having been held, the Commission having been fully advised in the premises and the matter being under submission,

IT IS ORDERED:

(1) That David E. Hauk, doing business as Redlands Bus Lines, be, and he hereby is, authorized to abandon and discontinue his passenger stage service in and around the City of Redlands, California, and between said city and Yucaipa.

(2) That the applicant be, and he hereby is, authorized to cancel all fares, rules, regulations, and schedules, applying to said passenger stage operation.

(3) That the operating rights conferred under authority of the certificate of public convenience and necessity granted to Buster Lee Burris by Decision No. 39474, dated October 1, 1946, on Application No. 27464, Decision No. 42213, dated November 9, 1948, on Application No. 29724, and Decision No. 42290, dated December 7, 1948, on Application No. 29846, and acquired from him by David E. Hauk by authority of Decision No. 44077, dated April 25, 1950, on Application No. 31252, over the routes in said decisions described, be, and the same hereby are, revoked and rescinded.

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

Dated at San Francisco, California, this 13th day of March, 1951.

A. J. [Signature]
Justus J. Casseer
Harold P. Hula
Samuel W. Patten
Edw. E. Mitchell
COMMISSIONERS