

ORIGINAL

Decision No. 47965

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 J. V. Fugere (Calaveras Transit Company))  
 for authority to abandon passenger stage) Application No. 33717  
 service between Murphys and Lake Alpine, )  
 California. )

O P I N I O N

J. V. Fugere acquired operative rights and has been performing service under the firm name Calaveras Transit Company as a passenger stage corporation for the carriage of passengers and express between Stockton and Lake Alpine, California, under authority of this Commission since December, 1942. <sup>(1)</sup> The present application is a request that applicant be authorized to abandon operations between Murphys and Lake Alpine.

Public hearing was held before Examiner Rowe in Angels Camp on October 31, 1952. Oral and documentary evidence was adduced and the matter was duly submitted for decision. Notice of the hearing was published in a newspaper of general circulation in the area served on October 23, 1952. No one protested the granting of the application.

Applicant alleges that during the last two summers he has lost approximately \$400 in the on-call operation between Murphys and Alpine Lake. He testified that although he had kept no separate record of the revenue and cost as applied to this portion of his service he based his estimate of loss upon the fact that during the last two summers he had made an average of two or three trips in the area involved per week and seldom carried more than one passenger for a one-way trip. His cost of operation per mile was

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(1) Decision No. 14774 dated April 10, 1925, in Application No. 10,000, Decision No. 18704 dated August 13, 1927, in Application No. 13656 (Certificates issued to Turner Lillie and acquired by applicant by Decision No. 35976, dated November 23, 1942, in Application No. 25310). See also Decisions Nos. 12521, 21848 and 19464.

15¢ and the usual revenue about 4¢ per mile. This cost would be even greater were he forced to employ a driver. He stated that he could no longer take care of this service north of Murphys personally as the physical strain was too much for him since it was in addition to the long drive between Stockton and Murphys. The road in the area in which abandonment is requested is rough and mountainous and requires the use of additional lighter equipment as his Flexible Bus is too large and heavy for this service.

In view of the evidence of record the Commission finds as a fact that there is no substantial demand for passenger stage service between Murphys and Lake Alpine and intermediate points and that the operation in that area has not been and cannot by applicant be carried on with any financial success but rather will be at a substantial loss. Consequently the requested abandonment should be authorized. 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 being fully advised in the premises, and the matter being under submission,

IT IS ORDERED:

(1) That J. V. Fugere doing business as Calaveras Transit Company, be and he hereby is, authorized to abandon and discontinue his passenger stage service for the carriage of passengers, their baggage and of express between Murphys and Lake Alpine and intermediate points.

(2) That on or before the effective date hereof applicant shall, in accordance with Commission's General Order No. 79, cancel concurrently with the abandonment of service herein authorized, upon not less than five (5) days' notice to the Commission and the public, all fares, rules, regulations and time schedules governing operations to be discontinued.

(3) That Decision No. 35976 dated November 23, 1942, in Application No. 25310 and Decision No. 14774 dated April 10, 1925, in

Application No. 10,000 and Decision No. 18704 dated August 13, 1927, in Application No. 13656 and the certificates of public convenience and necessity granted by the latter two decisions and transferred by the first decision mentioned in this paragraph be and each of said decisions and certificates, except as modified and limited by ordering paragraph No. (1) herein, shall remain in full force and effect.

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

Dated at San Francisco California, this 25 day of November, 1952.

A. J. Dummer  
PRESIDENT

Justus J. Casper  
Harold H. Lela

Lawrence L. Lott  
John L. Nichols  
COMMISSIONERS