

ORIGINAL

Decision No. 47970

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
HUBERT L. MAU and BESSIE FERN MAU)	
(Bakersfield-Barstow Line) for)	
issuance of "in lieu" certificate)	
covering the transportation of)	Application No. 33733
passengers and their baggage, also)	
express shipments weighing not over)	
100 pounds each in passenger vehicles))	
only, between Bakersfield and Barstow))	
and intermediate points.)	

Appearances

T. A. L. Loretz, for applicant.

Otto B. Liersch of the Staff of the Public Utilities Commission of the State of California.

OPINION

Hubert L. Mau and Bessie Fern Mau, a copartnership doing business as Bakersfield-Barstow Line, are engaged in the common carriage of passengers, baggage and express by motorbus between Bakersfield, Barstow and intermediate points. By this application they seek clarification and modification of the authority under which they operate.

Public hearing of the application was held before Examiner Abernathy at Bakersfield on October 2, 1952.

Applicants' operating authority was acquired from the Arvin Line pursuant to permission granted by Decision No. 46602, dated January 3, 1952, in Application No. 32819. Under that decision applicants acquired the right to transport passengers and their baggage and to transport express in shipments of 100 pounds or

less, on passenger vehicles only, between Bakersfield, Mojave, Barstow and intermediate points. An alternate authorized route permits applicants to serve the mine of the Pacific Coast Borax Company north of Boron. The operating authority is subject to the restriction that passengers, baggage and express having both origin and destination in the area between Muroc Junction and Beecher's Corners may not be transported.

Applicants ask that their authority be modified to permit abandonment of service to and from the mine of the Pacific Coast Borax Company. They state that they have never been called upon to provide service to the mine. Hubert Mau submitted in evidence a letter from the Pacific Coast Borax Company stating that the company has no objection to discontinuance of the service and that according to its representatives at Boron there has been no necessity for the service for some time.

Applicants also request clarification of the route over which they may operate. They point out that Decision No. 46602 specifies operations between Bakersfield and Barstow over U.S. Highway No. 466, that the highway does not enter Barstow and

According to the application, the decisions of the Commission which are the basis of the operative rights involved herein are as follows:

<u>Decision No.</u>	<u>Date</u>	<u>In Application No.</u>
25809	April 10, 1933	18161
37486	November 21, 1944	26331
37531	December 5, 1944	26331
37797	April 17, 1945	26592
40081	March 25, 1947	27449
41149	January 19, 1948	28951
41456	April 13, 1948	29139
41511	April 27, 1948	29100
41868	July 20, 1948	29100
43341	September 27, 1949	30470
46130	April 28, 1951	32565

that their operations require them to traverse U.S. Highway No. 91 for a short distance between U.S. Highway No. 466 and Barstow. They ask that the description of their authorized route be amended to include reference to U.S. Highway No. 91.

The record herein shows that public convenience and necessity no longer require the continuance of applicants' services to and from the mine of the Pacific Coast Borax Company near Boron. It appears that the proposed abandonment of service is not adverse to the public interest, that the abandonment should be authorized, and that applicants' operating authority should be modified accordingly. Inasmuch as their operating rights represent a consolidation of various rights created and granted to Arvin Lines or to its predecessor, it appears that in the modification of applicants' rights they should be restated for purposes of clarity and that a new certificate of public convenience and necessity setting forth such rights, as modified, should be granted to applicants to supersede and to apply in lieu of such certificates as they hold at present. The order which follows will so provide. Effect will be given therein to the requested clarification of authorized routes.

O R D E R

Public hearing of the above-entitled application having been held, the evidence received therein having been considered carefully, and good cause appearing,

IT IS HEREBY ORDERED

1. That a certificate of public convenience and necessity be and it is hereby granted to Hubert L. Mau and Bessie Fern Mau authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, for the transportation of passengers and their baggage, and for the transportation of express in shipments not exceeding 100 pounds in weight, in passenger vehicles only, between Bakersfield and Barstow and intermediate points via U.S. Highways Nos. 466 and 91, except that passengers, baggage and/or express which have both origin and destination in the area lying between and including Muroc Junction and Beecher's Corners may not be transported.
2. That the operating authority herein granted to Hubert L. Mau and Bessie Fern Mau be and it is granted in lieu of the authority heretofore acquired from the Arvin Line by Hubert L. Mau and Bessie Fern Mau pursuant to Decision No. 46602, dated January 3, 1952, in Application No. 32819 and that said operating authority which was acquired by applicants herein pursuant to Decision No. 46602 be and it hereby is revoked and annulled.
3. That in conducting passenger stage operations under authority of the certificate granted by this order, applicants Hubert L. Mau and Bessie Fern Mau shall comply with and observe the following service regulations:
 - (a) Within a period of not to exceed thirty (30) days after the effective date hereof, applicants shall file a written acceptance of the certificate herein granted.
 - (b) Applicants shall file, on not less than five (5) days' notice to the Commission and to the public, tariffs and time tables satisfactory to the Commission which shall reflect the changes in service made or to be made in accordance with the provisions of this order.

(c) Subject to the authority of the Commission to change or modify them by further order, applicants' operations shall be conducted over and along the following route:

Between Bakersfield and Barstow over U.S. Highways Nos. 466 and 91.

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

Dated at San Francisco, California, this 23rd day of November, 1952.

A. J. [Signature]
President

James J. [Signature]
Harold [Signature]

[Signature]
[Signature]
Commissioners