

Decision No. 49867**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 FRANK J. BARKO dba FONTANA BUS LINE,)
 to sell, and of ART NAY, ART NAY, JR.)
 and MAX D. HAYES to purchase a certifi-)
 cate of public convenience and neces-) Application No. 35206
 sity as a passenger stage corporation)
 between Riverside, California, and)
 March Field, California, serving)
 intermediate points.)

O P I N I O N

By Decision No. 49612, dated January 26, 1954, Frank J. Barko was authorized to establish and operate a passenger stage service (a) between Riverside and March Field and intermediate points, and (b) between Colton and Fontana and intermediate points. He was then operating a more extensive passenger stage service in the vicinity of Fontana and Riverside but said decision revoked all other operating authority.

By this application authority is sought to sell and transfer to Art Nay, Art Nay, Jr., and Max D. Hayes, as copartners, the operating right between Riverside and March Field, together with two buses and one extra engine, for a consideration of \$9,800 payable \$3,307.42 cash as a down payment and the balance of \$6,492.58 in cash upon the transfer of said right and property. (1)

Barko is retiring from the transportation business. The purchasers have had experience in bus transportation and are financially able to continue the service. No change in schedules or fares

(1) Applicant has also requested in Application No. 35203 to sell and transfer to Charles C. Towle and Melvin H. Bunting, a co-partnership, his operating right between Colton and Fontana, and one bus. The two operating rights are operated independently and the sale to different purchasers does not appear to be adverse to the public interest.

is contemplated. The public, principally March Field personnel, will continue to receive substantially the same type of transportation service. Art Nay, Jr. and Max D. Hayes will be active in the company's affairs.

Having considered the matter, this Commission is of the opinion and finds that the proposed sale and transfer is not adverse to the public interest and, therefore, the application will be granted. A public hearing is not deemed necessary.

The action taken herein shall not be construed to be a finding of value of the property herein authorized to be transferred.

O R D E R

Application having been made, the Commission being fully advised in the premises and good cause appearing,

IT IS ORDERED:

(1) That Frank J. Barke may sell and transfer on or before May 31, 1954, to Art Nay, Art Nay, Jr. and Max D. Hayes, as copartners, the operating right and property hereinabove described, said sale to be made substantially upon the terms and conditions of the agreement of sale filed as Exhibit A with this application, and said copartners are authorized to acquire and continue to operate the said passenger stage service as heretofore authorized by this Commission.

(2) That applicants shall file in triplicate, and concurrently make effective, appropriate tariffs and timetables within sixty days after the effective date hereof upon not less than five days' notice to the Commission and to the public.

(3) That in the event the authority to sell and transfer is exercised, the Commission shall be notified in writing of the fact within thirty days of the date of sale.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 30th day of March, 1954.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]
Commissioners