

Decision No. 49899**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Claude A. Kingsbury, doing)
business as ALMADEN STAGE LINES,) Application No. 34993
for authority to operate over and)
along certain streets as extension)
of existing routes.)

Robert P. McNamee, attorney, for applicant.
J. E. Wertenberger, for San Jose City Lines;
Robert M. Bortholdi, for Peerless Stage
Lines, Inc., interested parties.
Charles E. Bridgett, for the Commission staff.

O P I N I O N

On December 26, 1953, applicant Claude A. Kingsbury, doing business as Almaden Stage Lines, filed his application requesting authority to redefine his route so as to permit him to extend his passenger stage service between San Jose and Almaden to two newly developed subdivisions south of San Jose, known as Monterey Manor and Hacienda Gardens. In order to avoid the entering of a protest by San Jose City Lines applicant filed an amendment February 2, 1954, requesting that the authority be qualified by providing that applicant will not pick up any passengers between the intersection of Bellview Avenue and Monterey Road and the intersection of First and Santa Clara Streets, San Jose, whose destination is any point situated between said intersections. The amendment further provides that applicant will not pick up any passengers between the intersection of Alma Street and Almaden Road and the Greyhound Bus Station on Market Street, whose destination is any point situated between said intersection and said bus station.

A public hearing in this matter was held before Examiner Cline Thursday, February 25, 1954, at San Jose, and the matter was taken under submission.

In support of the application Witness James W. Vinson, Manager of Almaden Stage Lines, stated that there are approximately 250 homes in Monterey Manor. The Greyhound service on Monterey Road (U.S. Highway 101) goes past the subdivision but is not often used by the residents because of the heavy traffic on the highway and the number of express buses which will not stop to take on passengers. Residents cannot depend on the Greyhound lines for commute service. The deep end of Monterey Manor is one-half mile from Monterey Road. There are no traffic lights at the intersection of Fehren Drive which leads into the subdivision and Monterey Road, and it would be dangerous for children to board the bus at this intersection. Witness Vinson stated that he had interviewed persons in 85 homes in the area and that the residents are anxious to have the bus service extended into the subdivision.

There are 238 homes at present in Hacienda Gardens and approximately 500 more are to be constructed within the next two years. Residents of Hacienda Gardens have to go at least two and one-half miles at present to use the Almaden Stage Lines which is the nearest passenger stage service. The proposed extension of service will add considerably to the transportation convenience of the residents in Hacienda Gardens.

Applicant is serving only approximately 160 homes along his present route, and the patronage is not sufficient to enable him to continue his operations at a reasonable profit. The proposed extensions of service will increase his mileage from 75 miles per day to 166-3/4 miles per day, but approximately 488 additional homes will be served.

Applicant has two buses, one of which is used for the regular service and the other for charter service and as a stand-by in case of breakdown. No additional equipment will be required by reason of the extensions of service, as the proposed new schedule continues to provide for single bus operation.

Witness Vinson further testified that the additional patronage which will result from the extensions of service should enable applicant to operate his passenger stage service at a reasonable profit.

No one at the hearing entered a protest to the granting of the application.

After full consideration of applicant's request the Commission finds that public convenience and necessity require the proposed extensions of service which will be authorized. Applicant's request for a redefinition of his route between Almaden, California, and San Jose, California, will be granted.

O R D E R

An application as above-entitled having been filed, a public hearing having been held, and it having been found that public convenience and necessity so require,

IT IS HEREBY ORDERED that the applicant's route as set forth in paragraph (2)c of the order of Decision No. 40558 in Application No. 28284 is hereby deleted therefrom and the following described routes substituted in place thereof:

1. Beginning at the Almaden Post Office, Almaden Road, Almaden, California, thence along Almaden Road to its intersection with Almaden Avenue, San Jose, California, and thence along Almaden Avenue, San Carlos Street, Market Street, San Fernando Street, and San Pedro Street to the Greyhound Bus Depot;
2. Also, beginning at the intersection of Branham Lane and Almaden Road, thence along Branham Lane, Kirk Road, and Foxworthy Avenue to the intersection of Foxworthy Avenue and Almaden Road; and
3. Also, beginning at the intersection of Hillsdale Avenue and Almaden Road, thence along Hillsdale Avenue, Monterey Road, Fehren Drive, Peeifle Avenue, Singleton Road, Potts Road, Sylvandale Avenue, Peeifle Avenue, Fehren Drive, Monterey Road, South First Street, Market Street, Santa Clara Street, and South First Street to the intersection of Market Street and South First Street;

Provided, that applicant shall not be authorized to pick up any passengers between the intersection of Bellview Avenue and Monterey Road and the intersection of First and Santa Clara Streets, San Jose, California, whose destination is any point situated between said intersections; and that applicant shall not be authorized to pick up any passengers between the intersection of Alma Street and Almaden Road and the Greyhound Bus Station on Market Street, San Jose, California, whose destination is any point situated between said intersection and said bus station.

Except as extended and modified herein applicant's operative authority shall in all other respects remain in full force and effect.

IT IS HEREBY FURTHER ORDERED that in conducting his passenger stage operations pursuant to the authority granted by this Commission, applicant Claude A. Kingsbury, doing business as Almaden Stage Lines, shall comply with the rules of the Commission's General Order No. 79 and part 19 of the Commission's General Order No. 98 by filing, in triplicate, and making effective, concurrently and on not less than five days' notice to the Commission and the public, tariffs and time schedules satisfactory to the Commission.

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

Dated at San Francisco, California, this 6th day of April, 1954.

[Signature] President
Justus F. Challice
[Signature]
Donna Higgins

Commissioners

Commissioner Kenneth Patton being necessarily absent, did not participate in the disposition of this proceeding.