

ORIGINALDecision No. 50507

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 MARY MARITZEN and E. B. OSTHUES, a)
 copartnership, doing business under)
 the firm name and style of)
 THE MODESTO TRANSIT COMPANY, for a)
 certificate of public convenience)
 and necessity to operate bus service)
 as a common carrier of passengers,)
 baggage and express between the)
 City of Modesto, Stanislaus County,)
 California and South Modesto Acres)
 in Stanislaus County, California,)
 and all intermediate points.)

Application No. 26364

ORDER REVOKING OPERATIVE RIGHTS

By their first supplemental application filed in the above-entitled proceeding, applicants request authority to abandon service as a passenger stage corporation in the City of Modesto and vicinity as authorized by Decisions Nos. 37024, 37301 and 37478 in Applications Nos. 25846, 26259 and 26364 respectively.

Applicants' service already has been suspended due to the mechanical failure of all three of their busses. In order to restore said busses to operating condition, it is estimated that a minimum of \$1,500 is required. Due to continued financial losses suffered by reason of the operation of the above service, applicants are unable to make the necessary repairs. It appears, therefore, that applicants are not in a position to restore service.

Various efforts by applicants, in cooperation with the City of Modesto and others, to formulate a plan whereby service could be resumed have failed. Therefore, applicants have requested revocation of their operative rights so as to clear the way for any other carrier who is willing and able to render the service.

Inasmuch as the requested authority does not appear to be adverse to the public interest, and no protest thereto has been received, this supplemental application will be granted.

In order that this service may be restored by some other carrier as soon as possible, this order shall be made effective immediately.

Good cause appearing,

IT IS ORDERED that Mary Maritzen and E. B. Osthues be and hereby are authorized to abandon service as a passenger stage corporation between the City of Modesto and the Modesto Municipal Airport, Hammond-Vernalis Reconditioning Camp, and South Modesto Acres.

IT IS FURTHER ORDERED that the operative rights created by Decisions Nos. 37024, 37301 and 37478 in Applications Nos. 25846, 26259 and 26364 respectively, and all amendments thereto and modifications thereof are hereby revoked, and all effective tariffs and timetables filed on behalf of said Mary Maritzen and E. B. Osthues are hereby canceled.

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

Dated at San Francisco, California, this 3rd day of September, 1954.

Edwin M. Mitchell
President

Justice F. Caswell

Deane Higgins

Commissioners