

Decision No. 50548**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
 WILLIS M. KLEINENBROICH, an individual,)
 doing business under the name, MODESTO)
 MOTOR BUS SERVICE, for a certificate of)
 public convenience and necessity to)
 operate a passenger stage service over)
 new and additional routes in the City)
 of Modesto and environs; for authority)
 to discontinue two routes and modify)
 one route over which he operates pur-)
 suant to Decision No. 42389 on Appli-)
 cation No. 29350; and for authority to)
 discontinue night service.)

Application No. 35749

O P I N I O N

Applicant, Willis M. Kleinenbroich, doing business under the name of Modesto Motor Bus Service and presently rendering a passenger stage service within the City of Modesto and its immediate environs, seeks authority to extend service over two new routes; discontinue service on two present routes; amend an existing route; and discontinue night service.

Until recently the South Modesto, LaLoma and Airport Districts in the City of Modesto were served by the Modesto Transit Company. Because of financial losses said service has been abandoned. Being thickly populated districts, many requests have been received for a resumption of service including a resolution passed by the City Council of Modesto and a letter of request by the Modesto Retail Merchants Downtown Division.

Applicant requests authority to extend his service to these areas, but as a means of assuring its financial success requests further authority to amend and modify certain of his existing operations which allegedly result in operating losses.

A fare of 15 cents is proposed or 10 rides for 75 cents for school children. Transfer privileges would be afforded and service would be provided six days a week, Mondays through ^{SATURDAYS} ~~Fridays~~, *GH* commencing at 6:15 a.m. and continuing every half hour until 5:45 p.m.

Applicant presently operates four routes. He proposes to discontinue service over Routes 3 and 4. Route 2 would be so amended as to provide service to substantially all persons presently being served by existing Routes 2 and 4. Patrons of Route 3 for the most part would be served by Route 1, which would remain unchanged.

As justification for the authority to discontinue service applicant alleges that he has suffered a loss of \$7,424.34 on Routes 3 and 4 during the period from July 1953 to July 1954. With respect to the discontinuance of service after 5:45 p.m. applicant asserts that he has sustained an average nightly loss of \$17.39 on Routes 1 and 2.

If the authority herein sought is granted applicant asks that it be made immediately effective.

After consideration the Commission is of the opinion that public convenience and necessity require the granting of the authority sought.

O R D E R

Application having been filed, the Commission having been informed in the premises and it having been found that public convenience and necessity so require,

IT IS ORDERED:

(1) That in the place and stead of the operative rights granted in Decision No. 42389, dated December 29, 1948, in Application No. 29350 a certificate of public convenience and necessity is hereby granted to Willis M. Kleinenbroich, doing business under the name of Modesto Motor Bus Service, 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 over the following routes:

Route No. 1

Commencing at the intersection of 10th and H Streets in the City of Modesto; thence on H Street, First Street, Roselawn Avenue, Western Way, Colorado Avenue, Pelton Avenue, South Franklin Street, Robertson Road, Vernon Avenue, Beverly Drive, Paradise Road, H Street, 10th Street, J Street to its intersection with 11th Street.

Route No. 2

Commencing at the intersection of 11th and J Streets in the City of Modesto; thence along J Street, Downey Avenue, H Street, Scenic Drive, Coffee Road, Lucern Avenue, Sunrise Avenue, Coolidge Avenue, McHenry Avenue, Orangeburg Avenue, Tully Road, Coldwell Avenue, College Avenue, and 10th Street to its intersection with H Street.

Route No. 5

Commencing at the intersection of 10th and H Streets in the City of Modesto; thence along H Street, 7th Street, Old 99 Highway, Crows Landing Road, Glenn Avenue, Dallas Street, Butte Avenue, Crows Landing Road, Hatch Road, Boulder Avenue, Old 99 Highway, 7th Street, H Street, 10th Street, to its intersection with I Street.

Route No. 6

Commencing at the intersection of 10th and I Streets in the City of Modesto; thence along I Street to 12th Street, H Street, LaLoma Avenue, Santa Ana Avenue, Yosemite Boulevard, Santa Cruz Avenue, Oregon Drive, Empire Avenue, Lapham Drive, El Vista Avenue, Miller Avenue, N. Conejo Avenue, Haddon Road, La Loma Avenue, H Street, to its intersection with 10th Street.

Applicant may turn his vehicle at termini or intermediate points either in the intersection of the street or by operating around a block in either direction contiguous to such intersection.

(2) That applicant is hereby authorized to discontinue service after 5:45 p.m. on Routes 1 and 2.

(3) That the operative rights granted in Decision No. 42389 in Application No. 29350 are hereby revoked, cancelled and annulled.

(4) That in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following regulations:

- (a) Applicant shall file a written acceptance of the certificate herein granted within thirty days after the effective date hereof.
- (b) Within sixty days after the effective date hereof and on not less than five days' notice to the Commission and to the public applicant shall file in triplicate, and concurrently make effective, appropriate tariffs and time-tables.

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

Dated at San Francisco, California, this 16th

day of September, 1954.

John E. Mitchell
President

James J. Cassin
Committee

Raymond L. Green
Commissioners