

**ORIGINAL**Decision No. 52461

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CONTRA COSTA COUNTY COMMUTERS  
ASSOCIATION, a corporation, )

Complainant, )

vs. )

PACIFIC GREYHOUND LINES, a  
corporation, )

Defendant. )

Case No. 5623

John E. McKirahan, for Contra Costa County Commuters  
Association, Inc., complainant.  
Douglas Brookman and Earl A. Bagby, for Pacific  
Greyhound Lines, defendant.

ORDER DENYING MOTION TO DISMISS

Complainant has introduced evidence to show that commuters who use defendant's Concord bus route which passes through the Pleasant Hills area, are afforded commute fares for transportation between the bus stops in the Pleasant Hills area along said route, on the one hand, and points in Oakland and San Francisco, on the other hand. Complainant has also introduced evidence to show that commuters who use defendant's Martinez bus route which passes through the Pleasant Hills area, for transportation between stops in the Pleasant Hills area, on the one hand, and points in Oakland and San Francisco, on the other hand, are required to pay regular fares for transportation between stops in the Pleasant Hills area, on the one hand, and Acalanes Junction or Lafayette, on the other hand, in addition to commute fares for transportation between said Acalanes Junction or Lafayette, on the one hand, and points in Oakland and San Francisco, on the other hand. From all the evidence introduced by complainant the Commission may conclude and find that, by reason of said fare differentials, the commuters in the Pleasant Hills area who use defendant's Martinez bus route

are required to pay fares which are unreasonably discriminatory. The defendant itself has filed an answer in which it has alleged that the commuters in the Pleasant Hills area who use the Concord bus route are afforded unduly preferential fares.

THEREFORE, IT IS HEREBY ORDERED that defendant's motion to dismiss the complaint be and it is hereby denied. On the filing of an amended complaint by complainant which conforms to the evidence already introduced in this proceeding, further hearings shall be held at such time and place as may hereafter be designated, before Commissioner Ray E. Untereiner and Examiner Wilson E. Cline, or such Commissioner or Examiner as may hereafter be designated by the Commission, for the purpose of receiving additional evidence in this proceeding.

This order shall be effective twenty days after the date hereof.

Dated at San Francisco, California, this 16<sup>th</sup> day of January 1956.

[Signature]  
President  
James J. Adams  
Ray E. Untereiner  
[Signature]

Commissioners

Commissioner Matthew J. Dooley, being necessarily absent, did not participate in the disposition of this proceeding.