

Decision No. 55759**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 as the MODESTO MOTOR BUS
 SERVICE, for authority to amend and
 modify routes over which he operates
 due to the installation and operation
 of ONE WAY STREETS, in the CITY OF
 MODESTO, CALIFORNIA, on or about
 August 7, 1957.

Application No. 39283

O P I N I O N

By this application Willis M. Kleinenbroich, an individual doing business as the Modesto Motor Bus Service, requests authority from the Commission to amend and revise passenger stage route descriptions on routes over which he operates in Modesto. The applicant presently operates in this city under a certificate of public convenience and necessity granted in Decision No. 50548, dated September 16, 1954, in Application No. 35749. This proposal would result in abandonment of bus service to certain areas. However, it is alleged that patronage on portions of the lines operating in such areas has been insufficient in the past and any inconvenience to passengers by the loss of service would be negligible; the distance between the points to be abandoned and the points where service is proposed is approximately one to two blocks.

As justification for the authority sought the applicant states that the City of Modesto has instigated and placed into operation a system of one-way streets in the downtown section and that, as a result, certain portions of the present routes must be altered in order to conform to the new regulations. Furthermore, it is claimed that the proposed modifications would improve the

service now being rendered without appreciably increasing the mileage operated and would enable the applicant to serve a larger number of potential customers. Route revisions suggested by the Commission's engineers and included in this application should, it is alleged, increase the number of passengers served because certain large residential areas, along with the Stanislaus County Center, heretofore not served by public bus transportation, will be incorporated in the new operations.

No change in rates, fares or equipment is proposed and it does not appear that a public hearing is necessary. After full consideration of applicant's request the Commission finds that public convenience and necessity require the revisions as proposed. The application will be granted.

Although the applicant has not so requested in his application the Commission feels that it would be appropriate at this time to restate the applicant's operative rights in this decision in the form of a new certificate issued with an appendix attached in loose-leaf form. This restatement of the operative rights, with all the additions, amendments, changes and modifications thereto shall constitute the entire and exclusive evidence of the applicant's operative authority. Based upon a finding and order of the Commission, amendments to the certificate can be accomplished by the issuance of substitute sheets to Appendix A.

In consonance with the foregoing, a certificate will be issued to applicant in the order of this decision attached to which will be Appendix A, in loose-leaf form, categorically setting forth all the points and routes of operations together with all of the rights, restrictions, limitations and privileges applicable thereto. All presently existing certificates of public convenience and

necessity or other passenger stage operative rights held by the applicant will be revoked and annulled.

O R D E R

The Commission having considered the above-entitled matter and being of the opinion that a public hearing is not necessary and that the application should be granted, therefore,

IT IS ORDERED:

(1) That in the place and stead of its existing operative authority a certificate of public convenience and necessity is hereby granted to Willis M. Kleinenbroich, doing business as The Modesto Motor Bus Service authorizing the establishment and operation of service as a passenger stage corporation, as that term is defined in Section 226 of the Public Utilities Code for the transportation of passengers, between the points and over the routes as described and specified in Appendix A, which is attached hereto and by this reference made a part hereof, subject to the provisions, restrictions, limitations and conditions applicable thereto. Service under this certificate shall be conducted as a single consolidated and unified operation.

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

- (a) Within thirty days after the effective date hereof, Modesto Motor Bus Service shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, Modesto Motor Bus Service is placed on notice that it will be required, among other things, to file annual reports of its operations and to comply with and observe the safety rules and other regulations of the

Commission's General Order No. 98, Failure to file such reports, in such form and at such time as the Commission may direct, or to comply with and observe the provisions of General Order No. 98, may result in a cancellation of the operating authority granted by this decision.

(b) Within sixty days after the effective date hereof, and on not less than five days' notice to the Commission and the public, Modesto Motor Bus Service shall establish the service herein authorized and file in triplicate and concurrently make effective tariffs and time schedules satisfactory to the Commission.

(3) That all the presently existing operative rights held by Modesto Motor Bus Service under Decision No. 50548 are hereby revoked and annulled.

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

Dated at San Francisco, California, this 27th day of OCTOBER, 1957.

Maury Deal
President

R. ...

E. ...

Commissioners

ROUTE NO. 1 - WESTSIDE

Commencing at the intersection of 10th and "J" Street, thence along 10th Street, I Street, Washington Street, 1st Street, Sierra Drive, Roselawn Avenue, Western Way, Colorado Avenue, Pelton Avenue, Sutter Avenue, Robertson Road, Vernon Avenue, Beverly Drive, Paradise Road, H Street, 9th Street, J Street, to its intersection with 10th Street.

ROUTE NO. 2 - EASTSIDE

Commencing at the intersection of 10th and J Streets, thence along J Street, 17th Street, H Street, Scenic Drive, Coffee Road, Lucern Avenue, Sunrise Avenue, Orangeburg Avenue, Tully Road, Coldwell Avenue, College Avenue, 10th Street to its intersection with J Street.

ROUTE NO. 3 - SOUTH MODESTO

Commencing at the intersection of 10th and I Streets, thence along I Street, 7th Street, Crows Landing Road, Glenn Avenue, Dallas Street, Butte Avenue, Crows Landing Road, Rio Grande Avenue, Boulder Avenue, Main Street, Old Highway 99, Crows Landing Road, 7th Street, H Street, 9th Street, J Street to its intersection with 10th Street.

ROUTE NO. 4 - LA LOMA - AIRPORT

Commencing at the intersection of 10th and J Streets, thence along J Street, 12th Street, H Street, La Loma, Santa Ana Avenue, Yosemite Boulevard, Santa Cruz Avenue, Monterey Boulevard, Empire Avenue, Tenaya Drive, Empire Avenue, Yosemite Boulevard, Conejo Avenue, Miller Avenue, El Vista, Scenic Drive, Downey Avenue, I Street to its intersection with 10th Street.

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Decision No. 55759 , Application No. 39283.

SCHOOL ROUTESROUTE A - DOWNEY HIGH SCHOOL

Commencing at the intersection of Needham Street and Sycamore Avenue, thence along Sycamore Avenue, Morris Avenue, Hackberry Avenue, Stoddard Avenue, Virginia Avenue, Fairmont Avenue, Sycamore Avenue, Roseburg Avenue, McHenry Boulevard, Morris Avenue, Coffee Road to Fairmont Avenue and entrance of Downey High School.

ROUTE B - DOWNEY HIGH SCHOOL

Commencing at the intersection of Needham Street and Virginia Avenue, thence along Virginia Avenue, Fairmont Avenue, Sycamore Avenue, Orangeburg Avenue, McHenry Boulevard, Morris Avenue, Coffee Road to Fairmont Avenue and entrance of Downey High School.

ROUTE C - DOWNEY HIGH SCHOOL

Commencing at the Downey High School at Fairmont Avenue and Coffee Road, thence along Fairmont Avenue, Sunrise Avenue, Coolidge Avenue, McHenry Boulevard, Fairmont Avenue, Virginia Avenue, Coldwell Avenue, College Avenue, 10th Street to G Street.

ROUTE D - DOWNEY HIGH SCHOOL

Commencing at the Downey High School at Fairmont Avenue and Coffee Road, thence along Coffee Road, Scenic Drive, Kimble Street, Morris Avenue, McHenry Boulevard, Orangeburg Avenue, Sycamore Avenue, Fairmont Avenue, Virginia Avenue, Morris Avenue, Sycamore Avenue, 15th Street, J Street, 10th Street to G Street.

SPECIAL MODESTO HIGH SCHOOL ROUTE

Commencing at the Modesto High School thence along H Street, 9th Street, J Street to 10th Street, thence over and along the streets described in Route No. 2.

This route may be operated in addition to the regularly scheduled buses on Routes 1 and 2.

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Special Conditions

- (1) School routes shall be operated on school days only.
- (2) Buses operating on School Routes C and D may leave Downey High School at 3:15 and 4:15 p.m. or, in the alternative, 10 minutes after each session has been excused if the school day has been shortened. In the event school sessions are terminated earlier than normally scheduled the regular schedule may be canceled.
- (3) Vehicles may be turned 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.

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