ORIGINAL

Decision No. _56102_

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Commission investigation into the service, operations and practices of Helen C. McQuiggin, Administratrix, Estate of Nicholas Capraro, dba PALO ALTO TRANSIT.)))))))	Case No. 5976

Vincent F. McQuiggin, for Palo Alto Transit, respondent.

Anthony A. Lagorio, city attorney, for City of Los Altos; John M. R. Hope, chief administrative officer, for Mayor Atkinson, City of Los Altos, protestants.

Elmer J. Sjostrom and William R. Peters, for the Commission staff.

O P I N I O N

Helen C. McQuiggin, Administratrix, Estate of Nicholas Capraro, doing business as Palo Alto Transit, owns and possesses a certificate of public convenience and necessity to operate a passenger stage corporation between San Jose, Los Altos, Palo Alto and intermediate points. On motion of this Commission an investigation was ordered on September 4, 1957 into the service, operations and practices of this company, and pursuant to this order a hearing was held in Los Altos on October 3, 1957, at which time oral and documentary evidence was presented and the matter was duly submitted.

While the decision on the results of this hearing was pending, Palo Alto Transit discontinued all operations under this certificate and permitted its insurance policy to lapse. As a result of this expired insurance, and in accordance with our General Order

No. 101, this carrier's certificate must be revoked. Such order requires that every passenger stage corporation must provide for, and continue in effect, adequate insurance protection against liability imposed by law for the payment of damages for personal bodily injuries and for damage to or destruction of property. No such passenger stage operation is permitted to be conducted on any highway of this state unless such insurance is in effect.

In view of these circumstances the Commission finds that Helen C. McQuiggin, Administratrix, Estate of Nicholas Capraro, doing business as Palo Alto Transit, has discontinued and abandoned operations and on November 11, 1957 has permitted its insurance policy, required under General Order No. 101, to expire. The Commission therefore finds and concludes that this certificate should be revoked.

Therefore, good cause appearing,

IT IS ORDERED that the certificates of public convenience and necessity, acquired by Nicholas Capraro by Decision No. 43848 dated April 1, 1950 and currently owned and possessed by Helen C. McQuiggin, Administratrix, Estate of Nicholas Capraro, doing business as Palo Alto Transit, and certificates of public convenience and necessity granted to Helen C. McQuiggin, Administratrix of the estate of Nicholas Capraro, doing business as Palo Alto Transit, by Decision No. 50496 of August 31, 1954, in Application No. 35437 and by Decision No. 53156 of May 28, 1956, in Application No. 37956, to operate a passenger stage corporation between San Jose, Los Altos,

Palo Alto and intermediate points, are hereby revoked.

IT IS HEREBY FURTHER ORDERED that Local Passenger Tariff No. 4, Cal. P.U.C. No. 4, of Helen C. McQuiggin, Administratrix, Estate of Nicholas Capraro, doing business as Palo Alto Transit, is hereby canceled.

IT IS HEREBY FURTHER ORDERED that Helen C. McQuiggin, Administratrix of the Estate of Nicholas Capraro, doing business as Palo Alto Transit shall cause to be canceled her Concurrence No. AP2-1 of February 14, 1955, and her participation in Western Joint Rail-Motor Routing and Honoring Tariff No. 160-3, Cal. P.U.C. No. 157, of E. B. Padrick, Agent, and that such participation may be canceled on not less than five days' notice to the Commission and the public.

The Secretary of the Commission is hereby directed to cause a certified copy of this order to be served upon Helen C. McQuiggin in the manner prescribed by law.

The effective date of this order shall be the twentieth day after service thereof.

Dated at _____ San Francisco _____, California, this __14th__ day of ___January___, 1958.

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President

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Commissioners

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