

Decision No. 56490

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of) the M & W BUS LINES, INC., a California) corporation, for relocation of terminal,) abandonment of alternative route and re-) routing.)	Application No. 39722
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O P I N I O N

M & W Bus Lines, a California corporation, requests authority to relocate its terminal, to make certain rerouting, and to use the Santa Ana Freeway on a portion of its route.

The application shows that the Santa Ana Depot was formerly located at 117 East Third Street in the City of Santa Ana. In August of 1957 it was condemned by the city and demolished in September, 1957. Since that time applicant has been using a terminal at 202 East Fourth Street. Apparently the new terminal is satisfactory and its use will be authorized in the ensuing order.

So far as the route changes are concerned, the application discloses that the former owners of the applicant company discontinued operations along McClay Street, Delhi Road, and Red Hill Avenue to Valencia Avenue approximately one year ago. The discontinuance was necessitated by the opening of the Santa Ana Freeway in that vicinity. At that time operations were started along an alternate route, and the present owners have continued these operations. The record discloses that it would be in the public interest to authorize this alternate route. No persons are inconvenienced since the territory adjacent to the discontinued portion of the route consists almost entirely of orange groves.

Authority is also requested to use the Santa Ana Freeway between Red Hill Avenue and Trabuca Road. It appears that applicant's certificate authorizes the use of Highway 101. The freeway in this vicinity is now designated as U. S. Highway 101, and accordingly no change in present authorization is needed to permit its use.

There are no protests to the proposed changes, and a consideration of the application and all of the allegations and evidence adduced herein leads us to conclude that public convenience and necessity require that the proposed changes in routes be authorized. Accordingly the application will be granted.

It appears from this record that it is desirable to issue an in-lieu certificate authorizing these proposed routes and incorporating them with applicant's existing authority.

A public hearing is not necessary.

O R D E R

Application having been made, the Commission being fully advised in the premises and having found that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be, and it hereby is, granted to M & W Bus Lines, Inc., a corporation, authorizing the establishment and operation of a service as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, for the transportation of passengers

between the points and over the routes as more particularly set forth in Appendix A attached hereto and made a part hereof.

(2) That, in providing service pursuant to the certificate herein granted, there shall be compliance with the following service regulations:

- (a) Within thirty days after the effective date hereof, applicant shall file written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, applicant 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 upon not less than five days' notice to the Commission and the public, applicant shall establish the service herein authorized and file in triplicate and concurrently make effective tariffs and time schedules satisfactory to the Commission.

(3) That the certificate of public convenience and necessity granted in paragraph (1) of this order is not in addition to nor an enlargement of applicant's existing operative rights or authorities, as otherwise granted, but supersedes all presently

existing certificates of public convenience and necessity or other passenger stage operative rights held by applicant.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 8th day of April, 1958.

[Signature]

President

[Signature]

[Signature]

[Signature]

Commissioners

M & W Bus Lines, Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers between Santa Ana and the U. S. Marine Base near El Toro and intermediate points.

Subject to the authority of this Commission to change or modify such at any time, M & W Bus Lines, Inc., shall conduct said passenger stage operation over and along the following described routes:

1. Regular Route

Beginning at applicant's depot on East Fourth Street, in Santa Ana, thence via Fourth Street, Spurgeon Street, First Street, D Street, Laguna Canyon Road, Red Hill Avenue, Santa Ana Freeway (U. S. Highway 101), Trabuca Road, and Wake Avenue to Iwo Jima Drive.

Return: Via Iwo Jima Drive, Wake Avenue, Midway Place, Midway Drive, Wake Avenue, Trabuca Road, Santa Ana Freeway (U. S. Highway 101), Red Hill Avenue, Laguna Canyon Road, D Street, First Street, Spurgeon Street, Third Street, Main Street, and Fourth Street to point of beginning.

2. Alternate Route

From First Street along the Santa Ana Freeway and Red Hill Avenue to Valencia Avenue (Marine Corps Air Facility).

Applicant is authorized to turn its motor vehicles at termini and intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections, or in accordance with local traffic rules.

Issued by the California Public Utilities Commission.

Decision No. 56793, Application No. 39722.