

ORIGINAL

Decision No. 58514

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 BENINGER TRANSPORTATION SERVICE, INC.,)
 for authority to operate supplementary)
 passenger stage service for school) Application No. 40747
 children in Contra Costa County, State)
 of California.)

Russell L. Beninger, for applicant.
E. Sam Davis, for Key System Transit Lines; Ernest
Jorn, for the City of Richmond; Paul J. Badger,
 for the Pinole Valley Improvement Club, interested
 parties.
Charles W. Overhouse, for the Commission staff.

O P I N I O N

Beninger Transportation Service, Inc., presently rendering a passenger stage service in Contra Costa County, requests authority to extend its operations to newly developed residential areas in the vicinity of the City of Richmond.

A public hearing was held before Examiner Thomas E. Daly on April 7, 1959 in the City of Richmond. No appearance was made in protest to the authority sought.

By its application as originally filed, applicant requested authority to transport school children. During the course of the hearing the application was amended to include the public generally; however, the service would be primarily designed to meet the needs and requirements of school children. Service would be provided on school days only, with schedules being operated at 7:10 a.m., 9:40 a.m., 1:45 p.m. and 4:15 p.m.

Applicant proposes a general fare of 15 cents with a commute fare of 20 rides for \$2.50 for the new service. It was stated that, as conditions warrant, service would be increased to meet the needs of shoppers and commuters as well as school children.

The record indicates that applicant and a private carrier, are presently transporting school children within the proposed areas.

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

Applicant inadvertently failed to publish in its filed tariff the fares for a portion of its operation authorized by Decision No. 57442 of October 8, 1958 in Application No. 40454. Applicant is placed on notice that all fares which it is authorized to assess are required to be published in its tariff and are to be observed without deviation. It is expected to make appropriate tariff publication promptly.

The applicant's existing authority is contained in Decision No. 54821 dated April 9, 1957 in Application No. 38495, Decision No. 55731 dated October 22, 1957 in Application No. 39424, and Decision No. 57442 dated October 8, 1958 in Application No. 40454. In the interest of clarifying applicant's operations, the ensuing order will provide for an in-lieu certificate, and the authority granted by Decisions Nos. 54821, 55731 and 57442 will be canceled.

O R D E R

Application having been filed and the Commission being informed in the premises,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Beninger Transportation Service, Inc., authorizing it to operate as a passenger stage corporation, as that term is defined in Section 226 of the Public Utilities Code, for the transportation of persons between the points and over the routes more particularly set forth in Appendix A attached hereto and made a part

hereof, subject to the provisions, restrictions, limitations, and specifications contained therein. Service under this certificate may be conducted as a single, consolidated and uniformed operation.

(2) That the authority previously granted to Beninger Transportation Service, Inc., by Decision No. 54821 dated April 9, 1957, by Decision No. 55731 dated October 22, 1957, and by Decision No. 57442 dated October 8, 1958, is hereby canceled, effective upon the date that the authority granted herein takes effect.

(3) 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, applicant shall file a written acceptance of the certificate herein granted.
- (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 establish the service herein authorized and file in triplicate, and concurrently make effective, appropriate tariffs and timetables.

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

Dated at San Francisco, California, this 22nd day of May, 1959.

E. Lyn Fox
President

Matthew J. ...

Theodore H. ...

Ernest ...
Commissioners

Beninger Transportation Service, Inc., by the certificate of public convenience and necessity granted in the decision as hereinafter numbered in Application No. 40747, is authorized to transport passengers between points in the Cities of San Pablo, Richmond and El Cerrito and the County of Contra Costa, all as hereinafter stated.

Motor vehicles may be turned at termini or intermediate points, in either direction, at intersections or by operating around a block contiguous to such intersections, or in accord with local traffic regulations.

When route descriptions are given in one direction, they apply to operations in either direction, unless otherwise indicated.

Subject to the authority of this Commission to change or modify such at any time, Beninger Transportation Service, Inc., shall conduct such passenger stage operations between the following points and over and along the following described routes:

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- Route 1: Beginning at the intersection of MacDonald Avenue and 12th Street, in the City of Richmond; thence along 12th Street, Bissell Avenue, 11th Street, MacDonald Avenue, 23rd Street, San Pablo Avenue, Broadway, Fremont Road, Castro Street, Road No. 20, Rollingwood Drive, Glenlock, Road No. 20, San Pablo Dam Road (Road No. 7), May Road, Santa Rita Road, Appian Way, Manor Road, Hill Top Road, El Centro Road, returning over Hill Top Road, La Paloma Road, Appian Way, San Pablo Dam Road (Road No. 7); Road No. 20, Glenlock, Rollingwood Drive, Road No. 20, Castro Street, Fremont Road, Broadway, San Pablo Avenue, 23rd Street, MacDonald Avenue to point of origin at 12th Street.
- Route 2: Beginning at the intersection of U. S. Highway 40 and Giant Road in the County of Contra Costa; thence via Madeline Road, Montalvin Drive, Lettia Road, Heather Drive, Bonnie Drive, Marguerite, Frances, Heather Drive, Rachel Road, Giant Road, U. S. Highway 40 alternate, Tara Hills Drive, Kevin Drive, O'Hatch Drive, Brian Road, Tara Hills Drive, U. S. Highway 40 alternate, Tennet Avenue, Santa Fe Avenue, Hercules Avenue, Dunham Avenue, Skelly, Hercules Avenue, Santa Fe Avenue, Tennet Avenue, U. S. Highway 40 alternate, Appian Way, Allview Avenue, Juanita Drive, Manor Road, Appian Way, Valley View Road to De Anza High School and returning via the same route to the point of origin.
- Route 3: Beginning at the intersection of Doidge and Stokes Avenue in the County of Contra Costa; thence along Doidge, Moore Court, Stokes Avenue, Wright Way, Pinole Valley Road, Ramona, Lucas, Estates, Ramona, Pinole Valley Road, U. S. Highway 40 alternate, Appian Way, Valley View Road to De Anza High School and returning via the same route to the point of origin.

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- Route 4: Beginning at the intersection of Moyers Road and Groom Drive in the City of Richmond; thence along Groom Drive, Erla Way, Gilma Drive, Shane Drive, Groom Drive, Alta Mira Drive, Moyers Road, Fordham Drive, Road No. 20, U.S. Highway 40 alternate, 23rd Street, to Richmond Union High School, and returning via the same route to the point of origin.
- Route 5: Beginning at the intersection of Alpine Road and Key Boulevard in the County of Contra Costa; thence along Key Boulevard, Riverside Avenue, Arlington Boulevard, Alpine Road, Key Boulevard, San Pablo Dam Road, U.S. Highway 40 alternate, Rheim Avenue, 23rd Street, U.S. Highway 40 alternate, Road No. 20 to Walter T. Helms Junior High School, and returning via the same route to the point of origin.
- Route 6: Beginning at Bernhard Avenue and McBryde Avenue in the County of Contra Costa; thence along Bernhard Avenue, Felix, Plymouth Avenue, Monterey, Solano, Ralston, McBryde Avenue, Shasta Avenue, Key Boulevard, McBryde Avenue, 23rd Street, U.S. Highway 40 alternate, Road No. 20 to Helms Junior High School, and returning via the same route to the point of origin.
- Route 7: Beginning at a point on San Pablo Dam Road approximately one-quarter of a mile from San Pablo Dam in the County of Contra Costa; thence along San Pablo Dam Road, Castro Road, Robin Hood Drive, Sherwood Forest, Archery Way, Castro Road, San Pablo Dam Road, May Road, Valley View Road to DeAnza High School, and returning via the same route to the point of origin.

All routes are subject to the restriction that no local service shall be performed for the transportation of passengers having both point of origin and point of destination in the area which is west of U.S. Highway 40 (Freeway) and south of the intersection of 23rd Street and San Pablo Avenue.

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