

Decision No. 63950**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
 of STOCKTON CITY LINES, INC., for
 authority to continue, extend,
 discontinue and re-route certain
 portions of existing routes and
 to adjust service frequencies.

Application No. 43493

Daniel S. Lane, for applicant.
John C. Lilly, for the City of Stockton,
 protestant.
Bruce McKnight, for the Board of
 Supervisors, San Joaquin County,
 interested party.
M. E. Getchel, for the Commission staff.

O P I N I O N

In Decision No. 62750 the Commission granted applicant certain relief upon the condition that it immediately purchase four new 45-passenger buses and that, on or before April 30, 1962, it submit a comprehensive program for eventual replacement of all of its buses. By letter dated April 25, 1962, the company advised that the four new buses had been ordered for delivery in June, 1962, and requested that the submission of the comprehensive program be deferred until July 31, 1962. This request was granted by order dated May 1, 1962.

The present petition, filed May 10, 1962, requests that applicant be permitted to cancel its order for the four buses because of a strike of its drivers which commenced on May 1, 1962. Another reason given for this request is that applicant suffered a net operating loss of \$3,905 during 1961 and \$4,433 during the first three months of the present year.

Public hearing was held on this petition on May 31, 1962, in Stockton before Examiner Rowe. Applicant submitted evidence of

additional losses, as the strike was still in progress. The City of Stockton as protestant and the County of San Joaquin as interested party also produced evidence, and on said date the matter was submitted for decision.

Protestant City took the position that applicant should be granted an immediate increase in fares to take care of any possible raise in wages and the cost of acquiring new equipment. Also, a tentative proposal of local businessmen to raise money to subsidize the operation temporarily was alluded to. The County in substance supported the City's position.

There is no application for increased fares before the Commission at this time.

The staff representative stated that, while the staff has not changed its position regarding the purchase of the new buses, applicant may appropriately be granted an extension of time until a reasonable period after the strike to submit its replacement program, so that the effect upon customer use of the buses can be ascertained.

The Commission has been advised, since the hearing, that operations were resumed in Stockton June 11, 1962. Under these circumstances, we reaffirm our directive in Decision No. 62750, ordering paragraph 3, except that we will extend the date for submission of a replacement program to September 11, 1962. The Commission finds that the public interest requires that applicant be granted an extension of time for compliance with ordering paragraph 3 of Decision No. 62750 until September 11, 1962.

We will deny the request to cancel the order for new buses. We find that public convenience and necessity do not justify such cancellation.

O R D E R

IT IS ORDERED that applicant may submit to the Commission a comprehensive program for the replacement of all of its buses in addition to those recently ordered, including the proposed capacities and types of buses to be purchased and the proposed purchase dates thereof, on or before September 11, 1962. Ordering paragraph 3 of Decision No. 62750 is amended by substituting "September 11, 1962" in place of "July 31, 1962".

In all other respects the petition is denied.

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

Dated at San Francisco, California, this 17th day of JULY, 1962.

George J. Trover
President

Robert E. Hitt

Edgar J. Fox

Robert W. Page

Fredrick B. Hallock
Commissioners