

**ORIGINAL**Decision No. 65900

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of RAYE S. and BETTY F. )	
ROGERS dba Vallejo Interurban )	Application No. 45403
Transit Co. for authority to )	Filed May 6, 1963
reroute its line to Larwin Plaza. )	

Betty F. Rogers, for applicants.  
Dugald Gillies, for Vallejo Transit Lines,  
 protestant.  
James K. Gibson, for the Commission staff.

O P I N I O N

This application was heard before Examiner Rowe at Vallejo, on July 9, 1963, on which date it was submitted. Copies of the application and the notice of hearing were served in accordance with the Commission's procedural rules. Protestant was permitted to intervene under Rule 46 of the Commission rules after conceding that it operated under a city permit only, and disclaiming any intention of broadening the issues. Protestant stated that it had no objection to the granting of the application, if applicant would increase its fare from points south of Florida Street for those destined to Larwin Plaza, the new shopping center which applicant seeks authority to serve. Protestant suggested a restriction that applicants not pick up passengers along their present route south of Florida Street who were destined to Larwin Plaza.

Applicants request authority to shorten their route by elimination of a small loop and a two-block operation along Sacramento Street and by an extension for a like distance to the market area. Since the filing of this application, protestant instituted service to this market from the downtown area of Vallejo by one of its routes which otherwise serves entirely different residential areas of the City.

According to applicants' testimony its present equipment will be adequate and since the same operating distance will be involved, no additional costs will be incurred. Approximately 35 public witnesses appeared in support of the application. They uniformly praised applicants' service and indicated that there will probably be a material increase in patronage for passengers of applicants desiring to do their marketing at Larwin Plaza. Two or three witnesses testified that they might occasionally desire transportation between points in Vallejo along applicants' present route south of Florida and the new market area. However, the competition with protestant between these points appears to be negligible.

Upon consideration of the evidence the Commission finds that:

1. Applicants possess the experience, equipment, personnel and financial resources to institute and maintain the proposed service.
2. Public convenience and necessity require that the application be granted as set forth in the ensuing order.
3. Protestant will not be adversely affected by the proposed extension of service and has presented no compelling reason why applicants should be denied their requested relief or be restricted in their operations.

The following order should be made effective 10 days after its date.

O R D E R

IT IS ORDERED that:

1. Applicants are authorized to abandon service along Rogers and Seifridge Streets southeast of Gardner Street and along Sacramento Street west of Gardner Street.

2. A certificate of public convenience and necessity is granted to Raye S. and Betty F. Rogers authorizing them to operate as a passenger stage corporation as defined in Section 226 of the Public Utilities Code, between the points and over the routes more particularly set forth in Appendix A attached hereto and made a part hereof.

3. In providing service pursuant to the certificate herein granted, applicants shall comply with and observe the following service regulations:

- a. Within thirty days after the effective date hereof, applicants shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, applicants are placed on notice that they will be required, among other things, to file annual reports of their operations and to comply with and observe the safety rules and other regulations of the Commission's General Order No. 98 and insurance requirements of the Commission's General Order No. 101-A. 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 Orders Nos. 98 and 101-A, may result in a cancellation of the operating authority granted by this decision.
- b. Within one hundred twenty days after the effective date hereof, applicants shall establish the service herein authorized and file in the Commission's office, in triplicate, tariffs and timetables satisfactory to the Commission.
- c. The tariff and timetable filings shall be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and to the public, and the effective date of the tariff and timetable filings shall be concurrent with the establishment of the service herein authorized.
- d. The tariff and timetable filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs and timetables set forth in the Commission's General Orders Nos. 79 and 98.

4. The certificate of public convenience and necessity granted in paragraph 2 of this order supersedes the certificates of public convenience and necessity granted by Decisions Nos. 53087 and 59305, which certificates are hereby revoked, said revocation to become effective concurrently with the effective date of the tariff filings required by paragraph 3(b) hereof.

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

Dated at San Francisco, California, this 20<sup>th</sup> day of AUGUST, 1963.

*William L. Bennett*  
 President

*Robert L. ...*

*Robert W. ...*

*George T. Trover*

*Fredrick B. Hallock*  
 Commissioners

Appendix A

RAYE S. and BETTY F. ROGERS  
doing business as  
VALLEJO INTERURBAN TRANSIT CO.

Original No. 1

Raye S. and Betty F. Rogers, doing business as Vallejo Interurban Transit Co., by the certificate of public convenience and necessity granted in the decision noted in the margin, are authorized to transport persons within the City of Vallejo and between the City of Vallejo and adjacent area over the following route:

Route No. 1 - Commencing at the intersection of York Street and Marin Street, in the City of Vallejo; thence along Marin Street, Florida Street, Santa Clara Street, Tennessee Street, Wilson Avenue, Daniels Avenue, Gardner Street, Sacramento Street and Redwood Street to the Larwin Plaza Shopping Center Parking Lot; thence along Idaho Street and Sacramento Street to its intersection with Redwood Street.

Alternate route - Commencing at the intersection of Sacramento Street and Redwood Street; thence along Redwood Street, Sonoma Boulevard, Idaho Street and Sacramento Street to its intersection with Redwood Street.

Issued by California Public Utilities Commission.

Decision No. 65900, Application No. 45403.