

ORIGINALDecision No. 69550

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 DARWIN K. WARE and REGINA K. WARE,)
 dba PARADISE-OROVILLE STAGE LINES)
 For certificate of public convenience) and necessity to operate Passenger)
 Stage and Express service between)
 Paradise, California and Oroville,)
 California.)

Application No. 47447
 (Filed March 29, 1965)

McKerman & Lanam, by John D. Lanam, for applicant.

Kaywood M. Rainwater, for Chico-Paradise Stage Lines,
 protestant.

Hilton H. Nichols, for the Commission staff.

O P I N I O N

Applicants seek authority to operate a passenger stage and express service between Paradise, California and Oroville, California.

A public hearing was held before Examiner Porter on May 26, 1965, at Paradise, California, at which time the matter was submitted subject to a motion by protestant requesting a continuance to enable a witness, who was unable to attend the hearing, to testify on his own behalf.

Applicants presented evidence that the proposed service would be a convenience to the people of Paradise inasmuch as Oroville is the county seat; and the courthouse and county hospital are located in that city. At the present time the people of Paradise wishing to go to Oroville by public conveyance travel by Chico-Paradise Stage Lines to Chico and thence by Greyhound to Oroville. Applicants alleged that their proposed operation would provide a more direct service for these people. Applicants estimated that their operating costs for the proposed service would be approximately \$60 per day, but did not show that

there would be any substantial demand for the service. Protestant Rainwater, doing business as Chico-Paradise Stage Lines, testified that he operates four round trips daily between Paradise and Chico and that he averages one to three passengers per trip; that he is operating at a deficit and that he depends on a school contract to sustain his operations. Protestant alleged that the proposed Oroville service would have an adverse effect on his operations.

After consideration, the Commission finds that:

1. Applicants have not demonstrated that public convenience and necessity require local service between Paradise and Oroville, or that the proposed service would be compensatory.

2. Chico-Paradise Stage Lines provides adequate connecting service for residents of Paradise who wish to travel between that city and other points in the State.

3. There is insufficient passenger traffic to and from Paradise to warrant operations by two carriers.

4. Public convenience and necessity do not require the granting of the authority herein sought.

It is concluded that the application should be denied. In view of the above findings and conclusion the motion for continuance is denied.

ORDER

IT IS ORDERED that Application No. 47447 is denied.

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

Dated at San Francisco, California, this 17th day of AUGUST, 1965.

Frederick B. Holoboff President
City of Berkeley
George T. Hoover
Augustine
William L. Brown Commissioners