

ORIGINAL

Decision No. 70063

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
HOWARD W. KELLER, dba CHICO TRANSIT)
LINES, to sell and MILLARD E. DIVINE)
and WALTER L. ENTLEL, copartners, to)
purchase the operative rights and)
equipment of the CHICO TRANSIT LINES)
now operating in the City of CHICO,)
CALIFORNIA.)

Application No. 48008
(Filed October 27, 1965;
Amended November 2, 1965)

O P I N I O N

Howard W. Keller, doing business as Chico Transit Lines, requests authority to sell and transfer and Millard E. Divine and Walter L. Entler request authority to purchase and acquire certain property and operating authority as a passenger stage corporation.

The operating authority was granted by Decision No. 63856, dated June 26, 1962, in Application No. 44319 and authorizes service within the City of Chico and points immediately adjacent thereto. The property to be transferred includes one 1943 Ford 28-passenger bus, one 1951 GMC 29-passenger bus, tickets, stationery and good will.

The agreed consideration is \$3,850, payable as follows: \$500 upon the execution of the agreement; \$1,500 upon the approval of the Commission and the balance of \$1,850 to be evidenced by a promissory note bearing interest at 7 percent per annum and payable within 15 months after the date of transfer. The agreed value of the buses is \$1,300.

As of October 20, 1965, applicant buyers indicated a net worth in the amount of \$25,783.59.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest and that the money, property or labor to be procured or paid for by the issue of the promissory note herein authorized is reasonably required for the purposes specified herein and such purposes are not, in whole or in part, reasonably chargeable to operating expense or to income. On the basis of these findings we conclude that the application should be granted. A public hearing is not necessary.

The authorization herein granted shall not be construed as a finding of the value of the rights and properties herein authorized to be transferred. The certificate herein involved will be revoked and an in-lieu certificate will be issued in appendix form.

O R D E R

IT IS ORDERED that:

1. On or before May 1, 1967, Howard W. Keller may sell and transfer, and Millard E. Divine and Walter L. Entler may purchase and acquire, the operative rights and property referred to in the application.
2. Within thirty days after the consummation of the transfer herein authorized, Millard E. Divine and Walter L. Entler shall notify the Commission, in writing, of that fact and within said period shall file with the Commission a true copy of any bill of sale or other instrument of transfer which may be executed to effect said transfer.
3. Howard W. Keller, Millard E. Divine and Walter L. Entler shall amend or reissue the tariffs and timetables on file with the Commission, naming rates, rules and regulations governing the

common carrier operations herein to show that Howard W. Keller has withdrawn or canceled, and Millard E. Divine and Walter L. Entler have adopted or established as their own, said rates, rules and regulations. 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 the public, and the effective date of the tariff and timetable filings shall be concurrent with the consummation of the transfer herein authorized. The tariff and timetable filings made pursuant to this order shall comply in all respects 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. On or before the end of the third month after the consummation of the transfer as herein authorized, Millard E. Divine and Walter L. Entler shall cause to be filed with the Commission, in such form as the Commission may prescribe, an annual report, or reports, related to the operations of the seller for the period commencing with the first day of the current year to and including the effective date of the transfer.

5. Concurrently with the effective date of tariff filings required by ordering paragraph 3 hereof, the operative right granted by Decision No. 63856 is hereby revoked and, in place and stead thereof, a certificate of public convenience and necessity is granted to Millard E. Divine and Walter E. Entler, doing business as Chico Transit Lines, 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 particularly set forth in Appendix A attached hereto and made a part hereof.

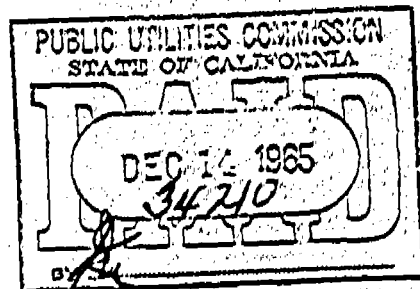
6. After the effective date hereof, for the purposes specified in the application applicant buyers may issue their promissory note in the principal amount of not to exceed \$1,850, repayable at the rate of \$100 or more per month including interest at 7 percent per annum on unpaid balances.

7. Within thirty days after issuing the note herein authorized, applicant buyers shall file with the Commission a copy thereof as actually issued.

The authority herein granted to issue a note will become effective when applicant buyers have paid the minimum fee prescribed by Section 1904(b) of the Public Utilities Code, which fee is \$25. In other respects the effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 7th day of DECEMBER, 1965.

Fredrick B. Holoboff
President
George T. Hoover
Commissioners



Millard E. Divine and Walter L. Entler, doing business as Chico Transit Lines, by the certificate of public convenience and necessity granted in the decision noted in the margin, are authorized to transport passengers on passenger carrying vehicles between points and places within the City of Chico and vicinity over and along the routes hereinafter described:

ROUTE #1 - "A" LINE

Commencing at the intersection of Main and East Fourth Streets, north on Main to Esplanade, north on Esplanade to East Third Ave., east on East Third Ave. to Mangrove Ave., south on Mangrove Ave. to East First Ave., east on East First Ave. to Arbutus Ave., south on Arbutus Ave. to Filbert Ave., east on Filbert Ave. to Madrone Street, north on Madrone Street to Hawthorne Ave., west on Hawthorne Ave. to Verbena Lane, north on Verbena Lane to East First Ave., west on East First Ave. to Dow Ave., north on Dow Ave. to Lindo Ave., west on Lindo Ave. to Sherman Ave., south on Sherman Ave. to East Seventh Ave., west on East Seventh Ave. to Palm Ave., north on Palm Ave. to East Eighth Ave., west on East Eighth Ave. crossing Esplanade to Arcadian Ave., south on Arcadian Ave. to West Sixth Ave., west on West Sixth Ave. to Warner Street, south on Warner Street to West Second Ave., east on West Second Ave. to Esplanade, south on Esplanade to Broadway (via Shasta Road), south on Broadway to West Fifth Street.

ROUTE #2 - "B" LINE

Commencing at West Fifth Street and Broadway, south on Broadway to West Eighth Street and Oroville Ave., south on Oroville Ave. to West Eleventh Street, west on West Eleventh Street to Normal Ave., south on Normal Ave. to West Twentieth Street, east on West Twentieth Street across Park Ave. to Mulberry Street, north on Mulberry Street to East Fifteenth Street,

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APPENDIX A

MILLARD E. DIVINE AND
WALTER L. ENTLER
doing business as
CHICO TRANSIT LINES

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ROUTE #2 - "B" LINE (Contd.)

east on East Fifteenth Street via Boucher Street to Cleveland Ave., east on Cleveland Ave. to Fetter Street, north on Fetter Street to Virginia Street, west on Virginia Street to Bruce Street, north on Bruce Street to Bartlett Street, north on Bartlett Street to East Eighth Street, west on east Eighth Street to Main Street, north on Main Street to East Fourth Street.

SPECIAL SCHOOL SERVICE AREA

Between St. John the Baptist Parochial School, on the one hand, and points on and along Routes Nos. 1 and 2, on the other hand.

Motor vehicles may be turned 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.

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