

Mjo

ORIGINAL

Decision No. 74330

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own
motion into the operations, rates,
charges and practices of THEODORE R.
ARNOLD, ELWOOD M. BOBO, GEORGE F.
HELLEN, WALTER P. HENRICKSEN,
KENNETH HENRICKSEN, FRANK LOPES,
FLOYD RUSSELL, and FRANKLIN F. STEELE.

Case No. 8758
(Filed January 30, 1968)

James F. Kemp, for George F. Hellen and Franklin
F. Steele; Gladstone A. Gillette, for Theodore
R. Arnold, Elwood M. Bobo, Walter P. Henricksen,
Kenneth Henricksen and Floyd Russell; and Frank
Lopes, in propria persona; respondents.
Gladstone A. Gillette, for Oliver R. Craven and
Alphonse Lopes; Marshall C. Berol, in propria
persona; Howard R. Petersen, for Petersen Bus
Company; and Gordon Darling, for Adams Charter
Coaches; interested parties.
William C. Bricca, Counsel, and Hilton H. Nichols,
for the Commission staff.

O P I N I O N

By its order dated January 30, 1968, the Commission
instituted an investigation into the operations, rates, charges
and practices of respondents for the purpose of determining whether
respondents violated Section 1031 of the Public Utilities Code by
operating as a passenger stage corporation over the highways in the
State of California without a certificate of public convenience and
necessity granted by this Commission.

Public hearing was held before Examiner O'Leary on
April 4, 1968 at Vallejo. The matter was submitted subject to
the filing of late filed Exhibit 7 no later than April 19, 1968.
The exhibit not having been filed by said date, the matter stands
submitted.

Based on the evidence adduced, the Commission finds that:

1. Each respondent is an employee at Mare Island and operates one or more buses for the purpose of transporting themselves and fellow workers to and from Mare Island. (The points between which operations are conducted and for which certificates of public convenience and necessity have not heretofore been issued by the Commission, and the number of buses operated by each respondent are more specifically set forth in Appendix A.)

2. The transportation service offered by each respondent is restricted to one round trip per day per bus and to persons who are employed at Mare Island.

3. Each respondent assesses charges on a weekly basis to each of the persons utilizing their service.

4. The operations of Frank Lopes are exclusively within the city limits of Vallejo.

5. Respondent Floyd Russell is no longer conducting operations.

6. The operations previously conducted by Respondent Floyd Russell are now being conducted by Alphonse Lopes.

Based upon the foregoing findings of fact the Commission concludes that:

1. Respondents Theodore R. Arnold, Elwood M. Bobo, George F. Hellen, Walter P. Henricksen, Kenneth Henricksen and Franklin F. Steele are operating as passenger stage corporations without first having obtained a certificate of public convenience and necessity, and are therefore, in violation of Section 1031 of the Public Utilities Code.

2. Respondent Frank Lopes is not in violation of Section 1031 of the Public Utilities Code.


O R D E R

IT IS ORDERED that:

1. Theodore R. Arnold, Elwood M. Bobo, George F. Hellen, Walter P. Henricksen, Kenneth Henricksen and Franklin F. Steele shall, within ninety days after the effective date of this order, cease and desist from operating passenger stage service to and from the San Francisco Bay Naval Shipyard at Mare Island unless an application is filed and a certificate of public convenience and necessity is obtained from the Commission authorizing such operations.
2. The investigation, insofar as it pertains to Frank Lopes and Floyd Russell, is discontinued.

The Secretary is directed to cause personal service of a certified copy of this order to be made upon respondents. The effective date of this order, as to each respondent, shall be twenty days after the completion of such service upon such respondent.

Dated at San Francisco, California, this 2nd day of JULY, 1968.


Arthur E. Gifford President
William L. Brown
Angela
William Lyons Jr.
Paul P. Morrissey Commissioners

APPENDIX A

Respondent	Number of Buses	Between San Francisco Bay Naval Shipyard at Mare Island and
Theodore R. Arnold	1	Benicia
Elwood M. Bobo	1	San Rafael
George F. Hellen	2	Sonoma and Boyes Springs
Walter P. Henricksen	4	Windsor, Healdsburg, Petaluma and Santa Rosa
Kenneth Henricksen	4	Windsor, Sonoma, Santa Rosa and Sebastopol
Frank Lopes	2	Vallejo
Floyd Russell	1	Vacaville
Franklin F. Steele	2	Napa