

**ORIGINAL**Decision No. 80801

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 SAN JOSE CITY LINES, INC. for  
 authority to increase certain rates  
 of fare.

Application No. 43664

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 62960, dated December 19, 1961, as amended,  
 San Jose City Lines, Inc. was ordered to acquire new buses as follows:

<u>No. of Buses</u>	<u>Shall Be Acquired Prior to:</u>
5	January 1, 1973
5	January 1, 1974
5	January 1, 1975
4	January 1, 1976

By its petition filed November 3, 1972, applicant requests  
 that the time for acquisition of new buses be extended as follows:

<u>No. of Buses</u>	<u>Shall Be Acquired Prior to:</u>
5	January 1, 1974
5	January 1, 1975
5	January 1, 1976
4	January 1, 1977

Pursuant to the directive petitioner has acquired new  
 buses since 1962, the most recent of which were acquired in August  
 and October of 1967. As of September 30, 1972, petitioner is in-  
 debted under contract for the purchase of those buses in the amount  
 of \$39,546, representing the unpaid principal balance of the purchase  
 price.

It is alleged that petitioner does not presently have cash available to purchase additional buses; that its operating loss for the nine months' period ending September 30, 1972, amounted to \$5,682; that during 1972 the City of San Jose entered into a contract for "financial assistance", which contract expired; that a new contract was entered into between petitioner and the City of San Jose for "financial assistance" which provided for a payment of \$23,700 for the month of October, 1972; that the agreement has been orally extended to the month of November, 1972; that the agreement does not provide money for the purchase of new equipment; that pursuant to Senate Bill No. 39, a Santa Clara County Transit District was created; and that negotiations are presently being conducted whereby the district will acquire petitioner's facilities.

Therefore, IT IS ORDERED that the requirements of Ordering Paragraph 6 of Decision No. 62960, as amended by Decisions Nos. 73836, 75282, 76986, 77953, and 79465, are modified as follows:

"6. San Jose City Lines, Inc. shall acquire 19 new motor buses in replacement of older buses prior to January 1, 1977, and the number of buses acquired and the dates of acquisition shall not be less in number nor subsequent in time of acquisition than specified in the following schedule:

<u>No. of Buses</u>	<u>Shall Be Acquired Prior to:</u>
5	January 1, 1974
5	January 1, 1975
5	January 1, 1976
4	January 1, 1977"

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 12<sup>th</sup> day of DECEMBER, 1972.

Vernon L. Sturgeon  
President  
William Lynott  
John J. ...  
...  
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.