

IS

Decision No. 82304

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

Lois J. Kohler, dba
VALLEY CHARTER LINES,

Complainant,

vs.

Roy L. Arledge, dba
UNITED TRANSIT,

Defendant.

Case No. 9645

ORDER GRANTING INTERIM RELIEF

Complainant alleges that she holds a certificate of public convenience and necessity to operate as a passenger stage corporation on the San Francisco Peninsula, transporting passengers to and from the United Airlines Maintenance Base at or near the San Francisco International Airport. Defendant is alleged to be a passenger stage corporation operating in the same general area.

Complainant's route description allows it to pick up and deliver passengers to "... any point within the Cities of Campbell, San Jose, Santa Clara, Cupertino, Sunnyvale and Milpitas ..." Defendant's route description provides for a Santa Clara route and a Cupertino-Mountain View-Palo Alto route, each of which must proceed along specifically designated streets.

Complainant alleges that defendant is not adhering to the two specific routes along which it is entitled to operate as a passenger stage corporation. Complainant further alleges that by deviating from its specifically authorized routes defendant is competing with complainant in complainant's authorized service area to complainant's detriment.

Attachment D to the complaint is a registered letter dated October 25, 1973, from the Secretary of the Commission to defendant herein. This letter states that a preliminary investigation indicated

that defendant was conducting an unauthorized passenger stage operation. This letter directed defendant to cease and desist unauthorized operations.

The Commission is of the opinion that good cause has been shown to warrant issuance of an order directing defendant to cease and desist from all unauthorized operations pending further order of the Commission. Defendant is placed on notice that a violation of this cease and desist order is a misdemeanor for which the punishment may be a fine and/or imprisonment, pursuant to Section 1037 of the Public Utilities Code. In addition, violation of this order may constitute contempt of the Commission (Public Utilities Code, section 2113).

IT IS ORDERED that Roy L. Arledge, dba United Transit, is hereby ordered to cease and desist from all unauthorized operations as a passenger stage corporation, or as any other type of transportation company, until further order of the Commission.

The Secretary shall cause a certified copy of this order and the complaint to be served on defendant, either personally or by registered mail.

Hearings in this matter will be at such time and place as shall be directed by the Secretary.

The effective date of this order shall be the date of service of this order and the complaint.

Dated at San Francisco, California, this 3rd day of JANUARY, 1974.

Vernon L. Sturgeon
President
William Synovis, Jr.

[Signature]

[Signature]

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