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Decision No. 83132

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

GREYHOUND LINES, INC. (Western
Division), a corporation,

Complainant,

Case No. 9771

vs.

R. C. FRENSLEY, doing business as
Airport Transportation Service,

Defendant.

ORDER GRANTING IMMEDIATE RELIEF

Complainant is a passenger stage corporation operating over various routes in California pursuant to a certificate of public convenience and necessity from this Commission. Among these routes is service between Napa, Vallejo and San Francisco and points intermediate thereto, and between San Francisco and the San Francisco International Airport and points intermediate thereto.

Complainant alleges that defendant is holding itself out to provide, and is providing, passenger stage service to the public on a regularly scheduled basis between Napa, Vallejo and the San Francisco International Airport. Complainant further alleges that this service is provided on an individual fare basis, that defendant holds Charter-Party Carrier Permit authority from this Commission, and does not have authority to conduct operations as a passenger stage corporation.

Complainant prays for an immediate order requiring defendant to cease and desist from offering and providing passenger stage service, and for further orders discontinuing a scheduled hearing pertaining to defendant's Application No. 54863 and requiring defendant to cease and desist from unauthorized operations.

Attached to the complaint are verified statements of two officials of complainant attesting to facts alleged in the complaint.

On the basis of the verified complaint and the attached statements the Commission finds there is good cause to issue an immediate order requiring defendant to cease and desist from any and all activities subject to the jurisdiction of this Commission for which it does not hold proper authority.

We further find that this complaint should be consolidated with Application No. 54863. We do not find good cause for granting complainant's request to discontinue the hearings in Application No. 54863 which are currently scheduled for July 31, 1974. Such hearings will provide a prompt means of resolving the issues in this complaint.

IT IS ORDERED that:

1. Defendant shall cease and desist from any and all activity subject to the jurisdiction of this Commission for which it does not have the appropriate authority, including offering and providing passenger stage service between fixed termini over a regular route for individual fares between Napa, Vallejo and the San Francisco International Airport.

2. Case No. 9771 is hereby consolidated with Application No. 54863. Hearings on these consolidated matters will be held before Examiner Peeters on July 31, 1974, unless changed by the Secretary.

3. The cease and desist order contained in Ordering Paragraph 1 of this order shall remain in effect until changed by further order of the Commission.

4. Hearings on this complaint have been expedited so that a complete resolution of the issues of the complaint and the related issues in Application No. 54863 may be heard on a common record.

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5. Complainant's requests for additional relief, to the extent not encompassed in the above ordering paragraphs, are denied without prejudice to renewal.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 23rd day of July, 1974.

Vernon L. Stenger
President
William J. Symons, Jr.
William J. Symons, Jr.
William J. Symons, Jr.
William J. Symons, Jr.
Commissioners