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Decision No. 83409

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

GREYHOUND LINES, INC.
(WESTERN DIVISION) a corporation,

Complainant,

Case No. 9781

vs.

STUART ALAN MESSNICK, d/b/a
THE CO-ORDINATORS.

Defendant.

ORDER GRANTING INTERIM RELIEF

Complainant is a passenger stage corporation authorized to transport passengers and express throughout California pursuant to a certificate of public convenience and necessity issued by this Commission.

Defendant is a charter-party carrier of passengers authorized to transport small groups pursuant to a permit issued by this Commission. Defendant has on file applications for a certificate of public convenience and necessity to conduct regular round trip tours, on an individual fare basis, between Buena Park and San Ysidro (Application No. 54963) and between Anaheim and Magic Mountain (Application No. 55092).

Complainant alleges that defendant is currently conducting passenger stage operations from Anaheim to San Ysidro and return on an individual fare basis. Accompanying the complaint are the verified statements of two employees of complainant substantiating the allegations of the complaint. Also attached is a tour reservation issued to one of the employees.

Complainant requests issuance of an order requiring defendant to cease and desist from conducting passenger stage service over the public highway without a certificate of public convenience and necessity pending resolution of this complaint.

In the sworn statements and the verified complaint, complainant has shown sufficient cause for granting interim relief.

Defendant is hereby ordered to cease and desist from conducting operations as a passenger stage corporation over the public highways of this State between Anaheim and San Ysidro or between any other points, without a certificate of public convenience and necessity from this Commission.

Complainant's request for dismissal of Application No. 54963, which is defendant's application for a passenger stage certificate to provide substantially the same service as alleged in this complaint, is denied.

The cease and desist order contained herein shall remain in effect until further order by this Commission. Should defendant wish to challenge this restriction prior to final determination of his right to provide the service in question, defendant may

petition the Commission for a hearing in which he may show cause why this restriction should not be continued.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 4th day of SEPTEMBER, 1974.

Vernon L. Sturgeon
President

William Symons Jr.

[Signature]

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Commissioners