

Decision 83 06 060 JUN 15 1983

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application  
of Ronald C. Kelsey, an individual  
doing business as Sierra Lines,  
otherwise known as LABTRANSCO, for  
an abandonment of existing  
passenger stage service.

Application 82-11-29  
(Petition for Modification  
filed March 21, 1983)

ORDER OF DENIAL

By Decision (D.) 83-01-032 dated January 12, 1983 at the request of Ronald C. Kelsey (applicant), dba Sierra Lines, a certificate of public convenience and necessity PSC-142 was rescinded. The application seeking authority to discontinue service and revoke the certificate was filed November 15, 1982 and appeared on the Commission's Daily Calendar November 19, 1982. No protests were received.

The application asserted that applicant (1) did not possess the funds to continue operations, (2) had been operating at a loss of 10.13% since January 1, 1982, (3) had accumulated a loss of approximately \$43,673, and (4) had personally absorbed all losses.

Exhibits B and D attached to the application indicated that alternate transportation was available from AC Transit or in vans supplied by Lawrence Livermore Laboratory. LABTRANSCO furnished a letter to its riders on March 7, 1983 indicating that service would cease on April 1, 1983.

On March 21, 1983 A. Roy Larson, et al (petitioners) filed a petition for modification of D.83-01-032. The petition states that applicant provided transportation for some 28 years to petitioners and abandonment of service without timely notice constituted a lack of responsibility by applicant. The petition requests modification of D.83-01-032 to require a 90-day notice of abandonment of service to allow petitioners to arrange alternate transportation.

A review of the allegations raised in the petition does not convince us that good cause for modification has been shown.

Findings of Fact

1. D.83-01-032 dated January 12, 1983 rescinded the certificate of public convenience and necessity (CPCN) granted to applicant. ✓
2. The application to discontinue service and revoke the CPCN was listed on the Commission's Daily Calendar of November 19, 1982. No protests to the application were received.
3. During 1982 applicant operated at a loss of over 10%.
4. Applicant absorbed the loss personally.

Conclusion of Law

Good cause for modification of D.83-01-032 has not been shown. The petition for modification should be denied.

IT IS ORDERED that the petition for modification of D.83-01-032 is denied.

This order is effective today.

Dated June 15, 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President  
VICTOR CALVO  
PRISCILLA C. GREW  
DONALD VIAL  
WILLIAM T. BAGLEY  
Commissioners

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY.

  
Joseph E. Bodovitz, Executive Director

A review of the allegations raised in the petition does not convince us that good cause for modification has been shown.

Findings of Fact

1. D.83-01-032 dated January 12, 1983 rescinded the certificate of public convenience and necessity (CPCN) granted to applicant.

2. The application to discontinue service and revoke the CPCN was listed on the Commission's Daily Calendar of November 19, 1982. No protests to the application were received.

3. During 1982 applicant operated at a loss of over 10%.

4. Applicant absorbed the loss personally.

Conclusion of Law

Good cause for modification of D.83-01-032 has not been shown. The petition for modification should be denied.

IT IS ORDERED that the petition for modification of D.83-01-032 is denied.

This order is effective today.

Dated JUN 15 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President

VICTOR CALVO  
PRISCILLA C. GREW  
DONALD VIAL  
WILLIAM T. BAGLEY  
Commissioners