

Decision No. 92725 FEB 18 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
FRANK C. MC CLENDON, JR., doing)
business as NORTH BAY TRANSIT, for)
a Class "B" certificate to operate)
as a charter-party carrier of)
passengers, Vallejo.)
(File No. B-16).)

Application No. 59398
(Filed December 24, 1980)

ORDER EXTENDING TIME

By Decision No. 92312 dated October 8, 1980 we denied without prejudice the application of Frank C. McClendon, Jr. (applicant) for a Class B charter-party certificate. That decision authorized applicant to file no later than December 31, 1980 further written evidence to establish (1) that the proposed service is required by public convenience and necessity; (2) that applicant is satisfactorily fit and financially responsible and prepared to comply fully with Commission regulations; and (3) that existing carriers in the territory proposed to be served are not providing satisfactory service or service of the same character as that proposed. The material was to be reviewed by the assigned Administrative Law Judge to determine whether the submission presented a possibility that an award of authority would be in order, and if so, set a schedule for submission of evidence by other parties and for further hearing.

On December 24, 1980, applicant filed a request for an extension to and including March 31, 1981 for submission of further evidence. The applicant states that although (1) he has retained an attorney to assist in the preparation of evidence to be submitted, (2) he has contacted a local authorized bus carrier who has tentatively agreed to act as a mentor; (3) he has several written statements of support from clubs and organizations; and (4) he has pursued minority-designated and private financing, he has been frustrated by the untimely existence of the record high interest rates and finds it physically impossible to present the documentary evidence called for by Decision No. 92312 by December 31, 1980.

After consideration we conclude that the request for an extension of time is reasonable and should be granted.

IT IS ORDERED that Frank C. McClendon, Jr. is authorized to file the submissions ordered by Ordering Paragraph 2 of Decision No. 92312 on or before March 31, 1981.

The effective date of this order ~~shall be thirty days~~ after the date hereof.

Dated FEB 18 1981, at San Francisco, California.

John E. Byrne

 President

Richard D. Powell

Thomas W. Spier

 Commissioners