

ORIGINAL

Decision No. 44616

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 SPYROS SKLIRIS, an individual doing)
 business under the name of HAYWARD)
 BUS LINES, for a certificate of public) Application No. 31015
 convenience and necessity to operate)
 passenger service in the City of Hayward,)
 and vicinity, Alameda County, State of)
 California.)

- Gene Rhodes, for applicant.
- George E. Thomas, for Key System Transit Lines.
- H. D. Gaeta, for Peerless Stages, Inc.
- C. W. White, City Attorney for the City of Hayward.

O P I N I O N

Applicant, Spyros Skliris doing business as Hayward Bus Lines, by his application, as amended, requests authority to operate a passenger stage service between the City of Hayward and Castro Valley. A separate service is proposed also over five integrated routes solely within San Lorenzo Village.

A public hearing was held before Examiner Daly in the City of Hayward on June 8, 1950, and the matter was submitted.

The application was opposed by Key System Transit Lines.

A protest entered by Peerless Stages, Inc., was withdrawn when applicant amended his application, on the record, by deleting a third proposed route within the City of Hayward.

Applicant, as stated, proposes to operate between Hayward and Castro Valley and locally within San Lorenzo Village. According to applicant service would be provided over the Castro

Valley route from six o'clock in the morning to seven o'clock in the evening. Service over the San Lorenzo route would commence at nine o'clock in the morning and would continue to six o'clock in the evening. The proposed fares would be fifteen cents between any points on the Castro Valley route. The charge would be ten cents between any points on the San Lorenzo Village operation. Children under five years of age would be transported without charge, when accompanied by a fare paying passenger. While school is in session, school children would be charged eight cents one way or fifteen cents round trip on the Castro Valley route and five cents on the San Lorenzo route. No transfer privileges are proposed.

The record discloses that applicant owned and operated a trucking business from 1907 to 1941. He also owned and operated a taxi business, which he sold in 1948. He stated, however, that he has had no experience in operating a scheduled passenger stage operation. His financial statement discloses a net worth of \$49,820, which includes a nine thousand dollar deposit on four new GMC buses valued at \$36,000.

Applicant's attorney, who testified on behalf of applicant, stated that he had personally conducted an investigation of the areas covered by this application; that the present population of Castro Valley is approximately 16,000, while the population of San Lorenzo Village is approximately 6000; that a door to door check of homes disclosed a need for additional service, particularly in Castro Valley; that the present service rendered by Key System Transit Lines on its Route 91 from Castro Valley is inadequate due to the fact that it is operated on an hourly basis and does not cover all of the area to be served; that as a result few people use

the Key System route. He further stated that the proposed service would provide a complete loop within Castro Valley four times an hour, with a scheduled run to Hayward once an hour; that this service would be a convenience to residents of Castro Valley who wish to travel to points within the Valley without taking the more circuitous route into Hayward as is presently provided by Key System; that he consulted with various civic groups including the Castro Valley Chamber of Commerce in an attempt to work out a more suitable service; that these organizations unanimously approved applicants' proposed operations; that the routes in San Lorenzo Village are designed to provide a service for those residents wishing to travel to the Village business district and for those wishing to connect with other means of transportation to points outside the Village and that the merchants of San Lorenzo Village have agreed to subsidize any reasonable loss that applicant might possibly suffer in conducting the proposed operation.

The testimony of public witnesses was restricted to Castro Valley and disclosed that an area known as the Upper A, consisting of approximately 106 residents, is too far removed from the Key System routes to receive any benefit from them. It was further disclosed that many new residents, composed mainly of young veterans and their families, experience a difficulty with respect to obtaining adequate transportation for their children to the various schools. One witness, the hostess for Castro Valley, who is employed by the merchants of Castro Valley to greet new residents and acquaint them with the public services and facilities within the Valley, testified that she had made arrangements with a local cab company to transport the children to school. According to this witness the proposed route

would provide transportation to the schools. She also testified that she had contacted approximately 240 new residents, who assured her that they would use the proposed service.

Protestant's Traffic Engineer testified that Key System Transit Lines is presently operating four routes through San Lorenzo Village, Castro Valley and Hayward. Route 80 leaves Oakland and serves Castro Valley via Castro Valley Boulevard and Center Street continuing on to Hayward and returns to Oakland via San Lorenzo Village and the reverse of Routes 81 and 81A. Routes 81 and 81A, the latter being an express service, leaves Oakland and serves San Lorenzo Village via Lewelling and Hesperian Boulevards returning to Oakland via Hayward and the reverse of Route 80. Route 91 is a local operation between Hayward and Castro Valley. The witness further testified that protestant has been operating these routes at an out-of-pocket loss, which amounted to \$2,186 during April 1950. He readily admitted that the present service is substandard, but claimed that this was attributable to poor patronage. He stated that attempts have been made by protestants to meet with representatives of Castro Valley in order that a solution to the problem might be reached, but as yet no suggestion has met with the unanimous approval of all parties. It was his opinion that applicant's proposed service is economically unsound and that the granting of the application would result in a diversion of traffic, which might lead protestant to subsequently request authority of this Commission to abandon service to this area.

Applicant's routes to Castro Valley and San Lorenzo village are local in nature and may be distinguished from protestant's routes 80, 81 and 81A, which are interurban operations. The only potential threat to protestant would be in its operation of route 91 between Castro Valley and Hayward. However, applicant's route to Castro Valley is chiefly designed to serve within the boundaries of Castro Valley, with a scheduled run every hour to Hayward.

The need for more adequate service in Castro Valley not only has been established by the evidence but is admitted by protestant. The possibilities that applicant, because of his lack of experience as a passenger stage operator, might not operate at a profit and that a diversion of traffic might lead protestant to request authority to abandon service to Castro Valley are speculative and they do not refute the showing of an existing need for service.

After full consideration of the evidence of record, the Commission is of the opinion and finds that public convenience and necessity require the establishment and operation of the proposed service. The application will be granted.

O R D E R

An application having been filed, a public hearing having been held thereon, the matter having been submitted, the Commission being fully advised in the premises and hereby finding that public convenience and necessity so require,

IT IS ORDERED as follows:

- (1) That a certificate of public convenience and necessity is hereby granted to Spyros Skliris authorizing the establishment and operation of service as a passenger stage corporation, as defined

in Section 2½ of the Public Utilities Act, for the transportation of passengers between Hayward and Castro Valley and intermediate points.

(2) That a certificate of public convenience and necessity is hereby granted to Spyros Skliris authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 2½ of the Public Utilities Act for the transportation of passengers between points within San Lorenzo Village over and along the following routes:

Route 1 San Lorenzo Village

- (a) Beginning at Hesperian Boulevard and Via Mercado, thence along Hesperian Boulevard to Grand Avenue, Paseo Larga Vista, Paseo Del Campo, Via Pacheco, Pasco Larga Vista, Grant Avenue, Paseo Del Campo, Via Acalanes, Pasco Larga Vista, Paseo Grande to point of beginning.
- (b) Beginning at Hesperian Boulevard and Pasco Grande, thence along Paseo Grande to Via Alamitos, Via Linda, Via Estrella, Via Nube, Via Alamitos, Via Linda, Bockman Road, Via Media, Via Manzanias, Via Arriba to point of beginning.
- (c) Beginning at Hesperian Boulevard and Pasco Grande, thence along Pasco Grande to Via Primero, Via Lucero, Via Anacapa, Via Coches, Via Rincon, Via Segundo, Via Lucero, Via Descanso, Paseo Grande, Via Arroyo, Via Rivira, Via Arroyo, Pasco Grande to point of beginning.
- (d) Beginning at Hesperian Boulevard and Pasco Grande, thence along Pasco Grande to Paseo Del Campo, Grant Avenue, via Alamitos, Grant Avenue, Olinda Avenue, Via Mariposa, Via Media, Grant Avenue to point of beginning.
- (e) Beginning at Via Arriba and Via Mercado, thence along Via Arriba to Via Manzanias, Via Alamitos, Hathaway Avenue, Via Aires, Via Arriba, Via Magdalena, Via Manzanias, Via Arriba to point of beginning.

(3) That in providing service pursuant to the certificate herein granted, applicant shall comply with the following service regulations:

- (a) Applicant shall file a written acceptance of the certificates herein granted within a period of not to exceed 30 days from the effective date hereof.
- (b) Within 60 days from the effective date hereof and on not less than 5 days' notice to the Commission and the public, applicant shall establish the services herein authorized and comply with the provisions of General Order No. 79 and Part IV of General Order No. 93-A, by filing in triplicate and concurrently making effective appropriate tariffs and time schedules.
- (c) Subject to the authority of this Commission to change or modify it by further order, applicant shall conduct the operations authorized in paragraph 1 of this order over the following route:

Route 2 Between Hayward and Castro Valley:

Beginning at Baywood Avenue and Earl Drive in Castro Valley, thence along Baywood Avenue to Lake Chabot Road, Strobridge Avenue, San Miguel Avenue, Castro Valley Boulevard, Center Street, Omega Avenue, Forrest Avenue, Meyer Avenue, Redwood Road, Wilson Avenue, Person Avenue, Christensen Lane, Lake Chabot Road, William Street, Stanton Avenue, Castro Valley Boulevard, Center Street, A Street, Main Street, B Street, Foothill Boulevard, A Street to point of beginning via reverse of same route.

The effective date of this order shall be 20 days after the date hereof.

Dated at Los Angeles, California, this 1st day of August, 1950.

Justus F. Casner
James F. Powell
Harold K. Hill
Samuel P. Patten
 Commissioners