

ORIGINAL

Decision No. 40,227

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of NEVADA COUNTY BUS LINE)
to sell and PACIFIC GREYHOUND LINES to) Application No. 34718
acquire, operating rights and property.)

O P I N I O N

In the above-entitled application the Commission is requested to authorize the Nevada County Bus Line, a corporation, to sell and Pacific Greyhound Lines, a corporation, to acquire passenger stage operative rights authorizing the transportation of passengers, baggage and express between Nevada City and Auburn and intermediate points via Grass Valley and the off-route point of DeWitt Hospital.

The principal operative right involved in this transfer was originally granted to Pacific Greyhound Lines by Decision No. 23244, dated December 31, 1930, Application No. 16989. Decision No. 25170, dated September 12, 1932, authorized the transfer of this right to Nevada County Narrow Gauge Railroad. Decision No. 31868 in Application No. 22593 authorized the reduction of the weight of shipments of express to 100 pounds or less. Decision No. 38817 in Application No. 27338 authorized Kent E. Walker to acquire the foregoing rights. Decision No. 39539 in Application No. 27891 granted a certificate to Walker authorizing service to and from DeWitt State Hospital for the transportation of passengers, baggage and express. DeWitt State Hospital is situated about one-half mile off California State Highway No. 24 and is intermediate to Auburn and Grass Valley. Decision No. 39849, Application No. 28103 authorized Walker to transfer the foregoing rights to the corporation Nevada County Bus Line, one

(1)
of the applicants herein.

Included in the proposed transfer are three units of equipment which according to the application have been fully depreciated. The proposed purchase price is \$6,000 of which \$5,760 is assigned as the value of the equipment and \$250 the value of operative rights.

According to the application the transferee proposes to begin the operation with two schedules in each direction daily between Nevada City and Sacramento via Auburn without transfer enroute and to use air-conditioned passenger stages with reclining chairs having a seating capacity of 37 passengers which are the same type as those now used in that area. The transferee proposes to adopt the local fares published by the transferor using combinations thereof over Auburn for transportation through this common junction point. The currently effective tariff rules and regulations of transferee will otherwise apply to and govern the application of such fares.

The transferee further proposes that the operative authority to be acquired as requested shall be consolidated with the remainder of its operative rights and incorporated in Appendix A to Decision No. 47907, Application No. 31883 and made subject to all the general provisions of Section 3 of said Appendix A which constitutes applicant's present system-wide

(1) By Decision No. 41398, dated March 30, 1948, in Application No. 28976, the Commission granted to Nevada County Bus Line a certificate authorizing a sight-seeing service over five described routes each having origin and destination at Sacramento. The Commission is informed by the president of Nevada County Bus Line that this sight-seeing service was never established nor is it now intended that it be established and there is no proposal to transfer that right which along with the above described rights constitute all the operative rights of the transferor. The sight-seeing certificate will be revoked in the order herein.

(2)
certificate.

As justification for the authority sought it is stated that transferor desires to retire from the transportation business as the operation involved has been suffering a continual decline in local traffic; that the equipment used is now fully depreciated and should be replaced and that continual losses from the operation have left applicant without financial resources to acquire essential new equipment. Transferee asserts that it desires to acquire the rights and properties as proposed as the principal traffic appears to be that traveling between the Nevada City-Grass Valley area and Sacramento, that establishment of through service between these points without change at Auburn and the use of new modern equipment sufficient new traffic can be developed to make the operation remunerative. After full consideration of this matter we are of the opinion that the proposed transfer will not be adverse to the public interest. The action taken herein shall not be construed to be a finding of the value of the rights and properties herein authorized to be transferred.

O R D E R

The Commission having considered the above-entitled matter and being of the opinion that a public hearing is not necessary and that the application should be granted as herein provided,

IT IS ORDERED:

(1) That Nevada County Bus Line may sell and transfer to Pacific Greyhound Lines and the latter may on or before December 31, 1953, acquire the operative rights and properties

(2) Incorporation of the acquired right in Appendix A of Decision No. 47907 will require revocation of the rights here involved after acquisition thereof by transferee.

referred to in the preceding opinion such sale and transfer to be substantially upon the terms and conditions as set forth in the agreement of sale attached to the application herein as Exhibit A.

(2) That in the event the authority herein granted is exercised Pacific Greyhound Lines shall notify the Commission in writing of that fact and file with the Commission a true copy of any bill of sale or other document which may be executed to effect the transfer herein authorized.

(3) That a certificate of public convenience and necessity is hereby granted to Pacific Greyhound Lines authorizing the establishment and operation of service as a passenger stage corporation, as that term is defined in Section 226 of the Public Utilities Code, for the transportation of passengers, baggage and shipments of express weighing not in excess of 100 pounds each between the termini and all the points intermediate thereto including off-route points and over the route as described in Route 3.10 of first revised page 14 of Appendix A subject to the special restriction S-3.05 as set forth in 2nd revised page 15 of Appendix A both of which are attached hereto and by this reference made a part hereof.

(4) That Appendix A of Decision No. 47907 is hereby amended by incorporating therein said first revised page 14 and 2nd revised page 15 referred to in paragraph (3) of this order.

(5) That the certificate herein granted is consolidated with and made a part of the operative rights created by Decision No. 47907 and is subject to all of the provisions contained therein.

(6) That within 60 days after the effective date hereof Pacific Greyhound Lines shall file a written acceptance of the

certificate herein granted and on not less than 5 days' notice to the Commission and the public it shall establish the service herein authorized and shall file in triplicate and concurrently make effective appropriate tariffs and timetables satisfactory to the Commission.

(7) That upon the consummation of the transfer of operative rights and properties as authorized in paragraph (1) of this order said operative rights shall become null and void and of no further force or effect and shall be superseded by the certificate granted herein as set forth in paragraph (3) hereof.

(8) That the operative right created by Decision No. 41398 dated March 30, 1948, in Application No. 28976 as herein above referred to is hereby revoked and annulled.

This order shall become effective twenty days after the date hereof.

Dated at Los Angeles, California, this 27th day of October, 1953.

R. Z. Anderson
 PRESIDENT
Justina F. Walker
Kenneth Pettit
J. E. Mitchell
Vernon Roggens
 COMMISSIONERS

3.06 - Between Diamond Springs Crossroads and El Dorado Junction:

From Diamond Springs Crossroads, over unnumbered highway via Diamond Springs and El Dorado to junction U. S. Highway 50 (El Dorado Junction).

3.07 - Between Folsom and Florida Inn:

From Folsom, over unnumbered highway (Greenback Lane) via Orangevale to junction U. S. Highway 40 (Florida Inn).

3.08 - Between East Folsom Junction and West Folsom Junction:

From the junction of present U. S. Highway 50 and former U. S. Highway 50 east of Folsom (East Folsom Junction), over present U. S. Highway 50 to junction with former U. S. Highway 50 west of Nimbus (West Folsom Junction), to be operated as an alternate route.

3.09 - Between Mills and Mather Field:

From Mills, over unnumbered highway to Mather Field, to be operated on-call for 25 or more adult fares.

*3.10 - Between Nevada City and Auburn:

From Nevada City, over California Highway 49 to Auburn, diverting from said highway to serve DeWitt State Hospital.

Issued by Public Utilities Commission of the State of California

*Added by Decision No. 49267

Special Restriction S-3.01 transferred to 2nd Revised Page 15.

Correction No. 33.

SPECIAL RESTRICTIONS

*S-3.01 - On the following routes, scheduled service shall be operated during the season extending approximately from June 10 to September 10 of each year. Service in Special Operations may be conducted throughout the year:

- (a) Between the Nevada-California State Line east of Lakeside, and Placerville. (Part of route 3.01, supra).
- (b) Between Truckee and Tahoe City. (Part of route 3.03, supra).
- (c) Between Tahoe City and Tahoe Valley Junction. (part of route 3.05, supra).

Provided that over the aforesaid route between the Nevada-California State Line east of Lakeside, and Placerville, scheduled service shall be resumed during the remainder of the year with not less than one round trip per week if and when justified by traffic demands.

S-3.02 - No service shall be rendered to or from Roseville, nor to or from points intermediate to Roseville and Sacramento, except for traffic originating at or destined to points east of Roseville or north of Chico.

S-3.03 - No express shall be transported between Mills and Mather Field.

S-3.04 - Between the Nevada-California State Line at Cal-Nova and Tahoe City, service is authorized to be conducted in Special Operations only.

**S-3.05 - No local service shall be rendered between Nevada City and Grass Valley.

Issued by Public Utilities Commission of the State of California

*Transferred from Original Page 14.

**Added by Decision No. 49267

Correction No. 34.