

ORIGINAL

Decision No. 54755

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of AZTEC BUS LINES, INC., a corporation, for a certificate of public convenience and necessity to operate "On-call" bus service between various schools in the San Diego area and Camp Cuyamaca, Camp Davidson, and Camp Palomar in San Diego County.

Application No. 39548

Leslie Phillips for applicant.
Lindley, Lazar & Scales, by Leon W. Scales, for San Diego Transit System and Ralph E. Thomas for Western Greyhound Lines, protestants.

O P I N I O N

Applicant requests authority to establish and operate an "on-call" bus service, with a minimum of twenty round-trip fares of \$1.75 for each passenger carried, between the various schools in the San Diego City area and (1) Camp Cuyamaca, a distance of approximately 50 miles, (2) Camp Palomar, a distance of approximately 65 miles, and (3) Camp Davidson, a distance of approximately 60 miles.

A public hearing was held in San Diego before Examiner Mark V. Chiesa. Oral and documentary evidence having been adduced, the matter was submitted for decision.

The evidence of record shows that applicant now operates a certificated passenger stage service between Imperial Beach and North Island in San Diego County (Decision No. 54908). It also operates charter buses.

This Commission, in Decision No. 52111, authorized protestant San Diego Transit System to operate a bus service for school

children between schools in the San Diego area served by protestant and camps at Cuyamaca and Palomar. The record shows that protestant is providing such service satisfactorily. Further, the evidence would not support a finding that additional service is required to said camps.

No certificated passenger stage service is now operated to Camp Davidson. The evidence of record shows that a public need exists for such service and we so find.

Applicant now operates eleven buses, some of which will be used in the Camp Davidson service. The proposed round-trip fare is \$1.75 plus Federal transportation tax. The round-trip distance is approximately 120 miles.

We have considered the whole record and we are unable to find that public convenience and necessity require the establishment of an additional service as herein proposed to Camp Cuyamaca and Camp Palomar. On the other hand, we find that public convenience and necessity require the proposed passenger stage service to Camp Davidson. The application will be granted in part and denied in part.

O R D E R

A public hearing having been held, the Commission being fully advised in the premises and finding that public convenience and necessity require applicant's proposed service to Camp Davidson, but does not require the establishment and operation of an additional service to Camp Cuyamaca and Camp Palomar,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be and it hereby is granted to Aztec Bus Lines, Inc., a corporation,

authorizing the establishment and operation of an "on-call" service as a "passenger stage corporation", as said term is defined in Section 226 of the Public Utilities Code, for the transportation of persons between the points and along the routes as more particularly described in Appendix A attached hereto and made a part hereof.

(2) That in providing service pursuant to the certificate herein granted, there shall be compliance with the following service regulations:

- (a) Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted.
- (b) Upon not less than five days' notice to the Commission and the public, applicant shall establish the service herein authorized and file in triplicate and concurrently make effective tariffs and time schedules satisfactory to the Commission.

(3) That except as hereinabove authorized, Application No. 39548 be, and it hereby is, denied.

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

Dated at San Francisco, California, this 27th day of April, 1958.

Carl E. Hatcher President
Paul W. [unclear]
[unclear]
Theodore [unclear]

 Commissioners

Commissioner C. Lyn Fox, being necessarily absent, did not participate in the disposition of this proceeding.

Appendix A

Aztec Bus Lines, Inc.
(a corporation)

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Aztec Bus Lines, Inc., by certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport grade school pupils and other children, including also school and summer camp personnel, between the City of San Diego and contiguous cities, on the one hand, and Camp Davidson, on the other hand, subject to the following conditions and restrictions:

- (a) All passengers must be destined to or originate at Camp Davidson.
- (b) Applicant may refuse to render service for less than a minimum of twenty round-trip passengers.
- (c) Subject to the authority of this Commission to change or modify said passenger stage operation at any time, applicant shall conduct said operation over and along the most appropriate and direct route or routes, subject, however, to local traffic rules.

End of Appendix A

Issued by California Public Utilities Commission.

Decision No. 50755, Application No. 39548.