

ORIGINALDecision No. 58077

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:
 TRANSCONTINENTAL BUS SYSTEM, INC., a
 Delaware corporation, for a certificate
 of public convenience and necessity
 authorizing the establishment of an
 additional route between Victorville
 and Barstow, pursuant to Sections
 1031-1036 of the Public Utilities
 Code.

Application No. 40746

O P I N I O N

Applicant is engaged in business as a common carrier of passengers, their baggage and shipments of express (including newspapers) weighing one hundred pounds or less, on passenger-carrying vehicles, between all points and places described in the "in lieu" certificate of public convenience and necessity issued to it by this Commission in Decisions Nos. 55018 and 55217. Generally, said certificates of public convenience and necessity authorize applicant to conduct operations in that part of California located on or south of U. S. Highway 50, including San Francisco, Oakland and Stockton on the north, Los Angeles and San Diego on the south and west, and Blythe and Needles on the east.

Route Group 3, as set forth in Original Page 4 of Appendix A of Decision No. 55018, authorizes applicant to provide service as follows:

3.01 - Between Los Angeles and California-Arizona State Line via Needles:

From Los Angeles over U. S. Highway 66 to California-Arizona State Line.

By the "in lieu" certificate of public convenience and necessity issued to applicant, service is provided to, from and between all intermediate points on U. S. Highway 66 between Los Angeles and the California-Arizona State Line, including the intermediate points of Victorville and Barstow. The State of California has just completed a limited access highway between a point approximately 2.5 miles south of Victorville, on the one hand, and, on the other hand, Barstow. This new limited access highway has been designated as new U. S. Highway 66 in place of old U. S. Highway 66. That portion of old U. S. Highway 66 extending from its junction with U. S. Highway 66 at a point approximately 2.5 miles south of Victorville to Victorville is now an unnumbered highway. That portion of old U. S. Highway 66 between Victorville and its junction with new U. S. Highway 66 at a point approximately 2.9 miles northwest of Victorville has now been designated as California State Highway 18. That portion of old U. S. Highway 66 between its junction on the south with new U. S. Highway 66, at a point approximately 2.9 miles northwest of Victorville, and with Barstow on the north is now an unnumbered highway.

By this application, applicant requests that Route Group 3, as set forth in Original Page 4 of Appendix A in Decision No. 55018, be amended to read as follows:

3.01 - Between Los Angeles and California-Arizona State Line, via Needles serving the off-route point of Victorville:

From Los Angeles over U. S. Highway 66 to California-Arizona State Line.

3.02 - Between junction U. S. Highway 66 and unnumbered highway, at a point approximately 2.5 miles south of Victorville, and Barstow:

From junction U. S. Highway 66 and unnumbered highway (old U. S. Highway 66) over unnumbered highway (old U. S. Highway 66) to Victorville, thence over California Highway 18 to junction U. S. Highway 66, thence over unnumbered highway (old U. S. Highway 66) to Barstow.

It is proposed to provide service to, from and between all intermediate points on the above-described routes.

Applicant proposes to charge the same fares and rates, and to apply the same rules and regulations governing the application of said fares and rates which now apply to service over its presently authorized routes. The service rendered over the new U. S. Highway 66 will be provided in accordance with existing schedules now provided over the old U. S. Highway 66 except that not less than one schedule each day will continue to be provided over the existing route (old U. S. Highway 66).

As justification for the granting of a certificate of public convenience and necessity, it is alleged that applicant presently is authorized to conduct a passenger service (including the transportation of baggage, express and newspapers) between Los Angeles and the California-Arizona State Line near Needles over U. S. Highway 66, serving all intermediate points but subject to a restriction against providing local service in the Los Angeles Metropolitan Area (which restriction is not pertinent in the within application). Included within this authorized service is the right to serve all intermediate points between Victorville and Barstow over old U. S. Highway 66. There recently has been completed a limited access highway in San Bernardino County, which said highway

(hereinafter sometimes called "the freeway") extends from a junction with old U. S. Highway 66 at a point approximately 2.5 miles south of Victorville to junction again with old U. S. Highway 66 at Barstow. The freeway has been designated as U. S. Highway 66 in lieu of the old U. S. Highway 66. New U. S. Highway 66 by-passes the points of Victorville, Oro Grande, Helendale, Hodge and Lenwood, but because of the fact that it is a modern freeway it is safer, smoother and faster than the old U. S. Highway 66. In addition, the freeway will reduce the route between Los Angeles and Needles by approximately five miles. Applicant believes that the use of the freeway will result in a safer, faster, shorter and more comfortable service to its through passengers, as well as residents of Victorville and Barstow, and for these reasons requests authority to operate over the new U. S. Highway 66. At the same time it proposes to continue serving the points along its existing route by conducting at least one schedule per day over the route. In the case of Victorville, applicant proposes to provide service as an intermediate point on old U. S. Highway 66 and as an off-route point in connection with its proposed service over the freeway. In this way Victorville will continue to receive the same frequency of service which it presently receives. Of the remaining points presently served over old U. S. Highway 66, the largest community is Oro Grande which is located approximately five miles from Victorville. Because of its proximity to Victorville, passengers at Oro Grande will have a choice of utilizing service over both the existing and proposed service in that Oro Grande residents may elect to board buses at Victorville or use the daily service through Oro Grande.

Applicant believes that use of the proposed route over the freeway will result in substantial improvement of its service to through passengers, including residents of Victorville, Oro Grande and Barstow, without any substantial decrease in service to the other points located on old U. S. Highway 66. Applicant requests authority to provide service to intermediate points on the new freeway since it anticipates that the freeway will attract large motels, gasoline stations and restaurants. Applicant anticipates that the freeway will shortly result in the growth of desert communities in the area traversed by it. Service to intermediate points will be provided only by picking up and discharging passengers off of the freeway.

The matter having been considered, the Commission is of the opinion and finds that public convenience and necessity require the establishment and operation of a passenger transportation service as herein proposed.

The application is not opposed and will be granted. A public hearing is not deemed necessary.

O R D E R

Application having been made, the Commission being fully advised in the premises and having found that public convenience and necessity so require,

IT IS ORDERED:

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

a corporation, authorizing the establishment and operation of a service as a passenger stage corporation, as that term is defined in Section 226 of the Public Utilities Code, for the transportation of passengers, their baggage, and shipments of express (including newspapers) weighing one hundred pounds or less, on passenger-carrying vehicles, between a point approximately 2.5 miles south of Victorville, on the one hand, and the City of Barstow, on the other hand, along a route designated as new U. S. Highway 66 as more particularly described in First Revised Page 4 of Appendix A, which is attached hereto and by reference made a part hereof, and subject to the conditions and restrictions applicable to the certificates of public convenience and necessity heretofore granted to applicant.

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

- a. Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, applicant is placed on notice that it will be required, among other things, to file annual reports of its operations and to comply with and observe the safety rules and other regulations of the Commission's General Order No. 98. Failure to file such reports, in such form and at such time as the Commission may direct, or to comply with and observe the provisions of General Order No. 98, may result in a cancellation of the operating authority granted by this decision.
- b. Within sixty days after the effective date hereof, and on 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 Appendix A of Decision No. 55018 be, and it hereby is, amended by incorporating therein First Revised Page 4 of Appendix A, as attached hereto and made a part hereof.

In all other respects Decision No. 55018 shall remain in full force and effect.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 2nd day of March, 1959.

E. L. Fox
President

Theodore Deemer
Everett W. Brown
Commissioners

