

ORIGINALDecision No. 60990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 GIBSON LINES for authority to transfer
 and of THE GREYHOUND CORPORATION for
 authority to acquire operating rights
 in the area between Roseville and
 Chico, and for specified incidental
 authorities and relief.

Application No. 42484

Gerald H. Trautman and William Meinhold, for
The Greyhound Corporation; C. J. Kearney,
for Gibson Lines; applicants.
G. W. Ballard, by James E. Howe, for Brotherhood
of Railroad Trainmen, protestant.
Charles W. Overhouse, for the Commission staff.

O P I N I O N

Gibson Lines (hereinafter at times referred to as Gibson)
 and The Greyhound Corporation (hereinafter at times referred to as
 Greyhound) request authority by joint application, as follows:

1. Gibson to sell and Greyhound to purchase certain operating authorities and bus equipment more fully described in Exhibit 101, Interstate Exhibit No. C-1, Appendix A Sheet 1 and Exhibit 101, Interstate Exhibit No. C-2, attached to the application.
2. Gibson seeks revocation of authorities more fully described in Exhibit 101, Interstate Exhibit No. C-1, Appendix C Sheet 1, attached to the application.
3. Greyhound seeks to delete from its authorities restrictions set forth in Exhibit 101, Appendix D attached to the application and substitute therefor a single special restriction to its California intrastate authorization for operations between Roseville and Sacramento (Greyhound Route No. 3.01) in substance as follows:

"No traffic shall be transported which has both point of origin and point of destination at or between Roseville and Sacramento."

It is stated in the application that Greyhound presently possesses interstate and intrastate authority to operate over all routes proposed to be acquired except for one short branch line between Oroville Wye and Chico Junction over former U. S. Highway 99E, and the interstate rights are unrestricted. However, the Greyhound intrastate rights are so restricted that, subject to minor exceptions, no local traffic may be transported within the area between Chico and Roseville nor between points in this area and important points outside thereof. These restrictions were imposed during the early years of bus operation through this area, and have been since continued, for the protection of Gibson Lines which has been, during all such times, the only bus carrier affording local service within the Chico-Sacramento area here concerned.

The area between Roseville and Chico is chiefly devoted to agricultural pursuits and, throughout this area, the use of the private automobile has constantly served to reduce the traffic tendered to the local bus carrier. While the local traffic is still of considerable volume per day, it is no longer of sufficient volume per schedule to sustain the essential frequency of service. Gibson has found that there has not for several years last past been a sufficient volume to economically sustain a proper frequency of service, and is convinced that any further decrease in frequency in order to reduce operating costs would only serve to decrease revenue per bus mile which is already noncompensatory.

On the other hand, Greyhound schedules being operated through the concerned area are supported primarily by its long-distance intrastate and interstate traffic. Its schedules passing through this area transport passengers and express between points

served by it from Sacramento south to the Mexican border and from Chico north to Vancouver, B. C. This has resulted in Greyhound operating through this area with greater frequency than Gibson and with better load factors.

It, therefore, has been concluded that if, pursuant to the purposes and intent of this transaction, Greyhound were to acquire the intrastate operating rights of Gibson with the result that the present local intrastate restrictions now applicable to the Greyhound operations through the concerned area would be removed, Greyhound could more adequately serve all local bus transportation needs of the concerned area as well as its present interstate and long-distance intrastate traffic moving to, from and through the concerned area, with a comparatively small increase in direct operating expense and without any appreciable increase in overhead charges.

It is further stated in the application in regard to the proposed revocation of two authorized intrastate routes by Gibson that Route No. 1.07 (from junction U. S. Highway 99E and North Beale Road over North Beale Road to Camp Beale, thence over South Beale Road to Junction U. S. Highway 99E and South Beale Road) authorizes transportation service to Camp Beale. This formerly was active as a military installation but for the last several years has not been devoted to the purposes for which it was established, and Gibson has long since ceased to afford transportation thereto due to lack of demand therefor.

Alternate Route No. 1.09 (from Junction U. S. Highway 99E and unnumbered highway approximately one half mile south of Marysville over unnumbered highway through Rio Oso, East Nicolaus

to Sacramento) has not been used for more than one year due to the lack of demand therefor. All schedules have been operated via Roseville in order to afford all frequency possible over the regular route. Greyhound is authorized to render service over a comparable direct route.

A public hearing was held on September 8, 1960, at San Francisco, before Examiner Martin J. Porter, at which time evidence was presented and the matter was taken under submission.

The protestant was concerned with the questions of seniority of Gibson Lines' drivers who would be affected by the transfer and the meaning of the word "qualified" as used in Section 34 of the agreement between Western Greyhound Lines (Division of The Greyhound Corporation) and the council of Western Greyhound Amalgamated Divisions of the Amalgamated Association of Street Electric Railway and Motor Coach Employees of America, AFL-CIO, which section expresses the policy of Greyhound to be applied regarding seniority in the event that the proposed transaction is consummated.

Evidence was presented by Greyhound that said Section 34 had been applied in numerous cases of acquired lines by Greyhound in the past and had created no problem or difficulties in its application.

The word "qualified" was explained to mean conforming to those standards set forth in General Order 98 of the Public Utilities Commission.

The interstate and California intrastate operating authorities of Gibson Lines between Roseville, Marysville and Chico, California, and intermediate points, are to be purchased for the sum of \$54,000. Two 1946 ACF buses are to be purchased at \$3,000 each.

If the application is granted Greyhound proposes to establish service between the points and on comparable schedules as is now performed by Gibson over the routes sought to be transferred.

After consideration of all the evidence, the Commission finds that the proposed transfers will not be adverse to the public interest; that public convenience and necessity require the extension of Greyhound's authority as mentioned in the application; and that the revocation of authorities sought by Gibson and deletion of certain restrictions to Greyhound's authority should be granted.

O R D E R

Application having been filed, a public hearing having been held, and the Commission being informed in the premises,

IT IS ORDERED:

1. That on or before March 1, 1961, Gibson Lines may sell and transfer and The Greyhound Corporation may purchase and acquire the operative rights and property referred to in the application.

2. That within thirty days after the consummation of the transfer herein authorized The Greyhound Corporation shall notify the Commission in writing of that fact and within said period shall file with the Commission a true copy of any bill of sale or other instrument of transfer which may be executed to effect said transfer.

3. That, on not less than five days' notice to the Commission and to the public, effective concurrently with the consummation of such transfer, applicants shall amend or reissue the tariffs and timetables on file with the Commission, naming rates, rules and regulations governing the operations here involved to show that

Gibson Lines has withdrawn or canceled and The Greyhound Corporation has adopted or established, as its own, said rates, rules and regulations. The tariff and timetable filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs and timetables set forth in the Commission's General Orders Nos. 79 and 98.

4. That concurrently with the consummation of transfer authorized in ordering paragraph 1 hereof California intrastate authorities, presently held by Gibson Lines, but not operated, to transport passengers, their baggage and shipments of express weighing 100 pounds or less, between the following points and points intermediate thereto, as authorized in Decision No. 58070 of the Public Utilities Commission of the State of California, dated March 2, 1959 are hereby revoked and canceled:

Route 1.07 - Between junction U. S. Highway 99E and North Beale Road and junction U. S. Highway 99E and South Beale Road:

From junction U. S. Highway 99E and North Beale Road over North Beale Road to Camp Beale, thence over South Beale Road to junction U. S. Highway 99E and South Beale Road.

Alternate

Route 1.09 - Between junction U. S. Highway 99E and unnumbered highway approximately one-half mile south of Marysville and Sacramento:

From junction U. S. Highway 99E and unnumbered highway approximately one-half mile south of Marysville over unnumbered highway through Rio Oso, East Nicolaus to Sacramento, to be operated as an alternate route.

No local operations shall be performed between Marysville and Sacramento over Alternate Route 1.09, Marysville and Sacramento excluded.

5. That concurrently with the consummation of transfer authorized in ordering paragraph 1 hereof, a certificate of public convenience and necessity is hereby granted to The Greyhound Corporation, 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 express between the points and over the routes designated as (2.04 - Between Oroville Junction and Oroville Wye) set forth in Second Revised Page 3 of Appendix A attached hereto, as an extension and enlargement of, consolidation with and subject to all limitations and restrictions set forth in the certificate granted by Decision No. 55893.

6. That in providing service pursuant to the certificate herein granted, The Greyhound Corporation shall comply with and observe the following service regulations:

- (a) Within thirty days after the consummation of transfer, The Greyhound Corporation shall file a written acceptance of the certificate herein granted.
- (b) Within sixty days after the consummation of transfer, and on not less than five days' notice to the Commission and to the public, The Greyhound Corporation shall establish the service herein authorized and file in triplicate, and concurrently make effective, tariffs and timetables satisfactory to the Commission.

7. That concurrently with the consummation of transfer authorized in ordering paragraph 1 hereof, the certificate of public convenience and necessity granted to The Greyhound Corporation by Decision No. 55893, as amended, is hereby further amended by incorporating in Appendix A thereof Second Revised Page 3, Fifth Revised Page 5, Second Revised Page 24, First Revised Page 97 and First Revised Page 98, all attached hereto.

8. That concurrently with the consummation of transfer authorized in ordering paragraph 1 hereof, the certificate of public convenience and necessity granted to Gibson Lines by Decision No. 58070, is hereby amended by incorporating in Appendix A thereof First Revised Pages 1 and 2, attached hereto.

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

Dated at Los Angeles, California, this 12th
day of November, 1960.

Council Bluffs
 President
 Secretary
 Treasurer
 Theodore Jensen
 Commissioners

ROUTE GROUP 2

2.01 - Between Red Bluff and Roseville:

From Red Bluff, over U.S. Highway 99E to junction unnumbered highway northwest of Oroville (Oroville Junction), thence over unnumbered highway to Oroville, thence over Alternate U.S. Highway 40 to junction unnumbered highway west of Oroville, thence over unnumbered highway to junction U.S. Highway 99E (Oroville Wye), thence over U.S. Highway 99E to Roseville.

2.02 - Between Chico and Orland:

From Chico, over California Highway 32 to Orland.

2.03 - Between Oroville Junction and Oroville Wye:

From junction U.S. Highway 99E and unnumbered highway northwest of Oroville (Oroville Junction), over U.S. Highway 99E to Oroville Wye, to be operated as an alternate route.

*2.04 - Between Chico Junction and Oroville Wye:

From junction U.S. Highway 99E and unnumbered highway approximately 1 mile south of Chico (Chico Junction), over unnumbered highway via Durham, Nelson and Richvale to junction U.S. Highway 99E (Oroville Wye).

(2.05 and 2.06 - Intentionally left blank.)

2.07 - Between Biggs Junction and Gridley Junction:

From Biggs Junction, over unnumbered highway via Biggs and Gridley to junction U.S. Highway 99E (Gridley Junction).

2.08 - Between Oroville and Marysville:

From Oroville, over Alternate U.S. Highway 40 to Marysville, to be operated as an alternate route.

Issued by California Public Utilities Commission.

*Added by Decision No. 60990, Application No. 42484.

ROUTE GROUP 3

3.01 - Between the Nevada-California State Line east of Floriston, and Sacramento:

From the point where U.S. Highway 40 intersects the Nevada-California State Line, over U.S. Highway 40 to Sacramento.

Authority is granted to deviate from this route to serve Colfax and Auburn.

*No traffic shall be transported which has both point of origin and point of destination at or between Roseville and Sacramento.

3.02 - Between Nevada City and Auburn:

From Nevada City, over California Highway 49 to Auburn.

Authority is granted to deviate from this route to serve DeWitt State Hospital.

No local service may be rendered between Grass Valley and Nevada City.

3.03 - Between Elvas Junction and Sacramento:

From junction U.S. Highway 40 and U.S. Highway 99E (Elvas Junction), over U.S. Highway 99E to Sacramento, to be operated as an alternate route.

3.04 - Between Squaw Valley Junction and Tahoe Valley Junction:

From Squaw Valley Junction, over California Highway 89 to junction U.S. Highway 50 (Tahoe Valley Junction).

Scheduled operations are authorized only for rendition of summer-season service, provided that, during the remainder of the year, scheduled operations are authorized to be conducted on occasions of, and for the purpose of affording transportation to and from advertised special events to be held in the Squaw Valley area to which the general public has been invited. Service in Special Operations may be conducted throughout the year.

Issued by California Public Utilities Commission.

*Added by Decision No. 60990, Application No. 42484.

ROUTE GROUP 11

11.01 - Between Franklin Canyon Junction and Stockton:

From junction U.S. Highway 40 and California Highway 4 (Franklin Canyon Junction), over California Highway 4 to Martinez Junction, thence over unnumbered highway via Martinez, Port Chicago and Pittsburg to Antioch, thence over California Highway 4 to Stockton.

*No local service shall be rendered between Sacramento, on the one hand, and the territory Port Chicago-Camp Stoneman-Antioch, on the other hand, via Martinez.

11.02 - Between Martinez Junction and Concord Junction:

From Martinez Junction, over California Highway 4 to Concord Junction, to be operated as an alternate route.

11.03 - Between Camp Stoneman Junction and Antioch:

From Camp Stoneman Junction, over California Highway 4 to Antioch, to be operated as an alternate route.

11.04 - Between Oakland and Willow Pass Junction:

From Oakland, over unnumbered highway (Broadway) to junction California Highway 24 (Temescal Junction), thence over California Highway 24 to junction unnumbered highway (Walnut Creek Junction), thence over unnumbered highway (Mt. Diablo Boulevard and North Main Street) to junction California Highway 24 (Oak Park Junction), thence over California Highway 24 to Concord, thence over Willow Pass Road to junction California Highway 4 (Concord Junction), thence over California Highway 4 to Camp Stoneman Junction, thence over unnumbered highway to Willow Pass Junction.

No local service shall be rendered between Oakland and Temescal Junction.

Issued by California Public Utilities Commission.

*Added by Decision No. 60990, Application No. 42484.

(2) The following restriction applies only to schedules which have point of origin or point of destination in San Francisco, on the one hand, and the territory Temescal Junction-Walnut Creek, on the other hand. On such schedules, no local passengers destined to or from San Francisco shall be transported from or to points in the territory:

- (a) The intersection of Twentieth Street and Broadway (this point excluded) to Temescal Junction (this point included);
- (b) The intersection of MacArthur Boulevard and Grove Street (this point excluded) to the intersection of MacArthur Boulevard and Broadway (this point included).

*13. Intentionally left blank.

Issued by California Public Utilities Commission.

*Changed by Decision No. 60990, Application No. 42484.

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APPENDIX A

THE GREYHOUND CORPORATION

First Revised Page 98*

Cancels

Original Page 98

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Issued by California Public Utilities Commission.

*Revised by Decision No. 60930, Application No. 42484.

By the certificate noted in the margin below Gibson Lines is authorized to transport passengers, their baggage and shipments of express weighing 100 pounds or less, on passenger carrying vehicles, between the following points and points intermediate thereto, using the following routes:

Route 1.01 - Between Sacramento and Roseville:

From Sacramento over city streets to U. S. Highway 99-E, thence over U. S. Highway 99-E to Roseville.

Route 1.02 - Between junction of U. S. Highway 99-E, Fulton Avenue and Auburn Boulevard and junction U. S. Highway 99-E, Riverside Boulevard and Auburn Boulevard:

From junction U. S. Highway 99-E, Fulton Avenue and Auburn Boulevard over Auburn Boulevard to junction U. S. Highway 99-E, Riverside Boulevard and Auburn Boulevard.

Route 1.03 - Between junction U. S. Highway 99-E and Watt Avenue and McClellan Field:

From junction U. S. Highway 99-E and Watt Avenue over Watt Avenue to McClellan Field.

Route 1.04 - Between Watt Avenue and Madison Avenue and Auburn Boulevard and Madison Avenue:

From Watt Avenue and Madison Avenue over Madison Avenue to Auburn Boulevard and Madison Avenue.

Issued by California Public Utilities Commission.

Decision No. 60990, Application No. 42484.

APPENDIX A

GIBSON LINES

First Revised Page 2
Cancels
Original Page 2

Route 1.05 - Between Auburn Boulevard and Greenback Lane and
Auburn Boulevard and Sylvan Road:

From Auburn Boulevard and Greenback Lane over
Greenback Lane and Sylvan Road to Auburn
Boulevard and Sylvan Road.

Restrictions: No local operations shall be performed between
Sacramento and junction U. S. Highway 99-E,
Auburn Boulevard and Watt Avenue.

Gibson Lines is authorized to operate to and from
company stations or points of passenger pickup and discharge via
city streets within each city, town or community into or through
which an authorized highway route passes, unless otherwise
specifically restricted or limited.

End of Appendix A

Issued by California Public Utilities Commission.

Decision No. 60990, Application No. 42484.