

66715

ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
JACK A ROESCH, doing business as)
WESTERN TRAIL STAGES, for a)
Certificate of Public Convenience)
and Necessity to operate a passenger)
stage.)

Application No. 45697
(Filed August 19, 1963)

Amendment to Application
Filed October 28, 1963

O P I N I O N

Applicant seeks authority to extend his present San Bernardino-Dodger Stadium service to Redlands and to establish a service over a new route between Riverside and the Dodger Stadium. Service will be provided for all Dodger games, for Angel games on Fridays and Saturdays and when games are scheduled with the New York Yankees, and for special pre-season, postseason and World Series baseball games. Applicant alleges that the demands for such service by Redlands and Riverside residents justify the proposed service. Only round-trip passengers will be carried. The fare will be \$3.25, which is the present fare from San Bernardino County points. No comparable service is now available to the public.

Applicant has the experience, facilities and financial responsibility to establish and conduct the additional service, which the applicant believes will be compensatory.

Applicant has heretofore been issued several certificates, and to clarify his operating authority an in lieu certificate will be granted.

Having considered the matter the Commission finds that public convenience and necessity require that applicant be authorized to establish and operate a passenger stage service as hereinafter set out. An in lieu certificate will be issued replacing applicant's present operating authority, which authority will be canceled. A public hearing is not necessary.

Applicant is hereby placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Jack A. Roesch authorizing him to operate as a passenger stage

corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the routes more particularly set forth in Appendix A attached hereto and made a part hereof.

2. 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 he will be required, among other things, to file annual reports of his operations and to comply with and observe the safety rules and other regulations of the Commission's General Order No. 98 and insurance requirements of the Commission's General Order No. 101-A. 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 Orders Nos. 98 and 101-A, may result in a cancellation of the operating authority granted by this decision.
- (b) Within one hundred twenty days after the effective date hereof, applicant shall establish the service herein authorized and file tariffs and timetables, in triplicate, in the Commission's office.
- (c) The tariff and timetable filings shall be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and the public, and the effective date of the tariff and timetable filings shall be concurrent with the establishment of the service herein authorized.
- (d) 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.

3. The certificate of public convenience and necessity granted in paragraph 1 of this order supersedes the certificates of public convenience and necessity granted to or acquired by Jack A. Roesch in Decisions Nos. 43644, 47178, 59113, 59313, 61862, 61946, 63261, 63439, and 65977, which certificates are hereby revoked, said revocation to become effective concurrently with the effective date of the tariff filings required by paragraph 2(b) hereof.

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

Dated at San Francisco, California, this 28th day of January, 1964.

William Bennett
President

Robert A. Smith
Carol W. Page

George L. Grover

Fredrick B. Halloff
Commissioners

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY

Showing Passenger Stage Operative Rights, Restrictions, Limitations, Exceptions, and Privileges Applicable Thereto.

All Changes and Amendments as Authorized by the Public Utilities Commission of the State of California Will be Made as Revised Pages or Added Original Pages.

Issued under authority of Decision No. 66715, dated January 28th 1964, of the PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, on Application No. 45697.

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SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS, AND SPECIFICATIONS.

The certificate hereinafter noted supersedes all operative authority heretofore granted to JACK A. ROESCH, doing business as WESTERN TRAIL STAGES, or his predecessors.

Jack A. Roesch, doing business as Western Trail Stages, by certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport persons, their baggage and express, between points specified in paragraphs 1, 2 and 5 below, and persons between points specified in paragraphs 3 and 4 below:

1. Mentone, Redlands, San Bernardino, Norton Air Force Base, Fontana and the Kaiser Steel Company plant, on the one hand, and the Ontario International Airport, Los Angeles International Airport, and the Lockheed Air Terminal, on the other hand;
2. March Field, Riverside and Mira Loma Air Force Base, on the one hand, and the Ontario International Airport, Los Angeles International Airport, and the Lockheed Air Terminal, on the other hand;
3. Points in San Bernardino County as hereinafter specified, on the one hand, and Dodger Stadium (City of Los Angeles), on the other hand;
4. The City of Riverside, on the one hand, and Dodger Stadium (City of Los Angeles), on the other hand;
5. The City of San Bernardino, on the one hand, and San Bernardino Mountain Resorts, including Crestline, Lake Arrowhead and Big Bear Lake, on the other hand;

over and along the routes hereinafter described, subject to the conditions and restrictions hereinafter set forth:

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SECTION 1 - GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS AND SPECIFICATIONS (Continued)

- (a) Motor vehicles may be turned at termini and intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections in accordance with local traffic regulations.
- (b) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (c) When service is rendered on an "on-call" basis, tariffs and timetables of Jack A. Roesch shall show the conditions under which such "on-call" service will be rendered.
- (d) Routes Nos. 1 and 2:
 - (1) No passenger shall be transported whose origin or destination is a point other than the points and places authorized, and all passengers shall either be destined to or originate at one of said airports.
 - (2) No express shall be transported except expedite baggage, mail or newspapers, and said express shall be transported on passenger-carrying vehicles and limited to a weight of not more than 100 pounds per shipment.

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SECTION 1 - GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS AND SPECIFICATIONS (Continued)

(d) Routes Nos. 1 and 2 (Continued):

- (3) Passengers shall be picked up or discharged in accordance with local traffic regulations. Specific points shall be named in applicant's tariff.
- (4) Applicant may transport airline passengers and personnel to and from the Lockheed Air Terminal on emergency "on-call" basis when necessary, due to weather or other conditions which make service to Los Angeles International Airport or the Ontario International Airport impracticable.

(e) Routes Nos. 3 and 4:

Service from points in San Bernardino County and the City of Riverside to the Dodger Stadium shall be rendered only on a round-trip basis.

- (1) Except at Dodger Stadium, passengers shall be picked up and discharged ONLY at specified points in the Cities of Redlands, San Bernardino, Riverside and Ontario. Specific points shall be named in applicant's tariff.
- (2) Applicant shall operate the service hereinabove authorized only when the Los Angeles Dodgers, or the Los Angeles Angels baseball teams are playing in Dodger Stadium.

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SECTION 1 - GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS AND SPECIFICATIONS (Continued)(f) Route No. 5:

- (1) Commencing with the first day of October to and including June 15 and during said period each year on not less than ten days' notice to the Commission and to the public service may be discontinued between San Bernardino and the San Bernardino mountain resorts. However, service may be commenced prior to June 15 of any year to coincide with the commencement of school summer vacation.
- (2) The transportation of express shall be incidental to the transportation of passengers; shall be limited to a weight of twenty-five (25) pounds per shipment and shall be transported on passenger vehicles only.
- (3) No passengers, baggage or express shall be transported having both origin and destination between the following points:

The San Bernardino Terminal and a point one and six-tenths (1.6) miles north of the intersection of Sierra Way and 40th Street.

The San Bernardino Terminal and the intersection of Highland Avenue and City Creek Road, near Highland.

Any two points within the City of San Bernardino.

- (4) When operating over the alternate route, via Victorville and Lucerne Valley, no passengers, baggage or express, having both origin and destination between the San Bernardino Terminal and Lucerne Valley, shall be transported.

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SECTION 2 - ROUTE DESCRIPTIONS:

Route 1 - Redlands, San Bernardino - Ontario,
Lockheed and Los Angeles Airports:

Commencing in the City of Redlands; thence via the most direct and appropriate route, or routes, to the Ontario International Airport, serving Mentone, San Bernardino, Norton Air Force Base, Fontana and Kaiser Steel Company plant as intermediate points; thence via the most direct and appropriate route, or routes, to the Los Angeles International Airport or the Lockheed Air Terminal.

Route 2 - Riverside - Ontario, Lockheed and
Los Angeles Airports:

Commencing in the City of Riverside; thence via the most direct and appropriate route, or routes, to the Ontario International Airport, serving March Field and Mira Loma Air Force Base as intermediate points; thence via the most direct and appropriate route, or routes, to the Los Angeles International Airport or the Lockheed Air Terminal.

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SECTION 2 - ROUTE DESCRIPTIONS (Continued)

Route 3 - Redlands, San Bernardino - Dodger Stadium:

Commencing in the City of Redlands; thence via city streets to Highway 70 - 99; thence via Highway 70 - 99, Alabama Avenue and Ninth Street to the City of San Bernardino; thence via city streets and the most direct and appropriate route to the City of Ontario; thence via city streets to the San Bernardino Freeway; thence along said freeway and appropriate city streets to the Dodger Stadium.

Route 4 - Riverside - Dodger Stadium:

Commencing in the City of Riverside; thence via city streets to Highway 60; thence via Highway 60 to Euclid Avenue in the City of Ontario; thence via Euclid Avenue to the San Bernardino Freeway; thence along said freeway and appropriate city streets to the Dodger Stadium.

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Appendix A

JACK A. ROESCH
doing business as
WESTERN TRAIL STAGES

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SECTION 2 - ROUTE DESCRIPTIONS (Continued):

Route 5 - San Bernardino Mountain Resorts:

Commencing at the San Bernardino Terminal, thence via city streets and State Highway 18 to Crestline; thence via county roads through Arrowhead Highlands, Pine Crest, Twin Peaks, Blue Jay and Arrowhead Village to Skyforest; thence via State Highway 18 or State Highway 30 to Big Bear City.

Alternate Route "A":

Commencing at the San Bernardino Terminal, thence via city streets and City Creek Road (State Highway 30) to its junction with State Highway 18.

Alternate Route "B":

Commencing at the San Bernardino Terminal, thence via U. S. Highway 66 - 91 to Victorville; thence via State Highway 18 to Big Bear City. This route is to be used only at times when the roads and highways of the regular route are impassable.

End of Appendix A

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