

66776

ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of BUFORD L. SMITH, an individual
doing business as SMITH'S CHARTER
BUS SERVICE, for a certificate of
Public Convenience and Necessity
to Operate a Passenger Stage be-
tween specified points in Fremont
and Alameda and between Fremont and
Sunnyvale, California.

Application No. 45892
(Filed October 23, 1962)

OPINION AND ORDER

Applicant requests authorization to institute and conduct operations as a passenger stage corporation for the transportation of passengers between Fremont, on the one hand and, on the other hand, the points of Alameda Naval Air Station and Lockheed Aircraft Company in Sunnyvale, to enable employees living in Fremont to go to and from work.

Other than a charter permit, applicant presently does not possess any Commission authority to transport passengers. Applicant proposes one round trip daily to each plant, Monday through Friday, charging \$15 per month to the Alameda employees and \$12 to those working in Sunnyvale.

A financial statement is attached to the application as well as a proposed schedule of operations. Exhibit "E" to the application, entitled "Equipment List", indicates that Mr. Smith has five buses, with capacities ranging from 41 to 49 passengers. He alleges that from the many requests he has received he is confident that his proposed service will fill a definite public need.

Based upon the allegations and exhibits in his verified application and the investigation and favorable recommendation of the Commission staff, the Commission finds as follows:

1. Applicant possesses the experience, equipment, personnel and financial resources to institute and maintain the proposed service.

2. Public convenience and necessity require that the application be granted as set forth in the ensuing order.

3. Public hearing is not necessary.

As a consequence the Commission concludes that the application should be granted.

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Buford L. Smith, an individual, doing business as Smith's Charter Bus Service, 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 of the California Highway Patrol, the 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.
- (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.

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

Dated at San Francisco, California, this 11th day of FEBRUARY, 1964.

President

Everett A. Rogers

George H. Grover

Frederick B. Hallock

Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

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. 65776
dated February 11, 1964, 1964, of the Public
Utilities Commission of the State of California, on
Application No. 45892.

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

BUFORD L. SMITH, doing business as Smith's Charter Bus Service, by the certificate of public convenience and necessity granted by the decision noted in the margin is authorized to transport persons on passenger-carrying vehicles operated in regular service between the City of Fremont, on the one hand, and the Alameda Naval Air Station and the Lockheed Aircraft Plant at Sunnyvale, on the other hand, over the routes hereinafter described, subject to the following provisions:

(a) Motor vehicles may be turned at termini or 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 the opposite direction, unless otherwise indicated.

(c) Service shall be restricted to persons originating at or destined to the Alameda Naval Air Station or the Lockheed Aircraft Plant, at Sunnyvale.

Issued by California Public Utilities Commission.

Decision No. 66775, Application No. 45892.

SECTION 2. ROUTE DESCRIPTIONS

Route A - Alameda Naval Air Station

Commencing at the intersection of Fremont Boulevard and Delaware Drive, thence over Delaware Drive, Roberts Avenue, Cooks Road, Fremont Boulevard, Eugene Street, Davis Street, Margery Drive, Besco Drive, Hilo Street, Blacow Road, Calaveras Avenue, Sutter Drive, Mowry Avenue, Blacow Road, Thornton Avenue, Cabrillo Drive, Nicolet Avenue, Coronado Drive, Alder Avenue, Fremont Boulevard and State Highway 17 (Nimitz Freeway) to the Alameda Naval Air Station.

Route B - Lockheed Aircraft Plant

Commencing at the intersection of Mowry Avenue and Fremont Boulevard, thence along Fremont Boulevard, Alder Avenue, Coronado Drive, Nicolet Avenue, Alhambra Drive, Cabrillo Drive, Thornton Avenue, Blacow Road, Hilo Street, Besco Drive, Margery Drive, Fremont Boulevard, State Highway 17 (Nimitz Freeway) and State Highway 9 (Mountain View-Alviso Road) to the Lockheed Aircraft Plant.

Issued by California Public Utilities Commission.

Decision No. 66776, Application No. 45892.