

Decision No. 66857**ORIGINAL**

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 Tri-Valley Bus Lines, Inc. for  
 certificate of public convenience and  
 necessity to operate passenger service  
 between the town of Simi, California  
 and Rocketdyne Plant, Canoga Park,  
 California and between Thousand Oaks,  
 California and Rocketdyne Plant in  
 Canoga Park, California, and for  
 permission to issue stock.

Application No. 45994  
 (Filed December 3, 1963)

O P I N I O N

Applicant, a California corporation, requests authorization to institute and conduct operations as a passenger stage corporation for the transportation of passengers between the towns of Simi, Santa Susana, and Thousand Oaks, and intermediate points, on the one hand, and the Rocketdyne Plant of North American Aviation, Inc., located at 6633 Canoga Avenue, Canoga Park, on the other hand, and to sell and issue thirty shares of its \$100 par value stock. Applicant presently does not possess any authority to transport passengers in California.

Applicant proposes that the certificate be issued as an area certificate instead of between fixed termini or over regular routes, for the reason that passengers move around within said area and the population of said area is increasing at different points within the area in a manner that cannot be accurately determined in advance of new home construction.

The fare proposed to be charged for the service to be provided is \$5.00 for five round-trip rides per week for a five-day week, Monday through Friday.

Applicant proposes to operate three 37-passenger buses, one leaving Simi at 6:50 a.m. and arriving at Rocketdyne at 7:35 a.m., the second leaving Santa Susana at 7:05 a.m. and arriving at Rocketdyne at 7:35 a.m., and the third leaving Thousand Oaks at 6:50 a.m. and arriving at Rocketdyne at 7:30 a.m. On the return trips each bus will leave Rocketdyne at 4:50 p.m., the Santa Susana and Thousand Oaks arrival time being 5:30 p.m., and the Simi bus arriving at 5:45 p.m. In addition to these three buses, applicant proposes to operate as standby equipment a fourth bus with a capacity of 44 passengers. None of the above equipment is now owned by applicant but it does have an option to purchase said equipment from a Los Angeles dealer.

The balance sheet submitted with the application discloses corporate assets of \$4,000 in cash and lists no liabilities. Applicant requests authority to issue 20 shares of its stock to Shirley Glenn Spiker, its president and a director, for the par value of \$100 per share and 10 shares of its stock to Florence Octavia Teigen, its vice president and a director, for the par value of \$100 per share. After issuance of such stock, applicant would have assets of \$7,000 in cash to be used to purchase equipment and begin operations. The other officer and director is Mildred Elaine Spiker, secretary-treasurer.

Applicant alleges that its proposed service will not compete with any other transportation service since it will not carry intermediate passengers, its service being designed to serve the Rocketdyne plant offering transportation service to employees of said plant. Applicant has, however, served copies of its

application herein on the Los Angeles Metropolitan Transit Authority, Western Greyhound Lines, Associated Charter Bus Co. and Simi Stage Line.

Applicant alleges there is a need for the proposed service, as between 300 and 500 employees of Rocketdyne have no other transportation service available to the plant; there is a continuing population growth in the Simi Valley and many of the new residents are Rocketdyne employees; and applicant can furnish more economical transportation than existing private facilities for the particular class of service for which a certificate is herein requested.

After consideration the Commission finds that public convenience and necessity require that the application be granted in the manner set forth in the order which follows. A public hearing is not necessary.

The money, property or labor to be procured or paid for by the issue of the stock herein authorized is reasonably required for the purposes specified herein, and such purposes are not, in whole or in part, reasonably chargeable to operating expenses or to income.

Tri-Valley Bus Lines, Inc., 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 Tri-Valley Bus Lines, Inc., a corporation, authorizing it 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 it will be required, among other things, to file annual reports of its 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, 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. Applicant is hereby authorized to issue at par for cash not to exceed thirty shares of its stock, of the aggregate par value of \$3,000, upon the terms and conditions set forth in its application herein. The authority to issue shares of stock will become effective on the effective date of this order and will expire if not exercised prior to June 1, 1964. Applicant shall file with this Commission a report or reports as required by General Order No. 24-A, which general order insofar as applicable, is made a part of this order.

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

Dated at San Francisco, California, this 25<sup>th</sup> day of FEBRUARY, 1964.

William C. Bennett  
President

George T. Hoover  
Commissioners

Fredrick B. Halaloff  
Commissioners

Tri-Valley Bus Lines, Inc., by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers originating at or destined to the Rocketdyne Plant of the North American Aviation, Inc. at 6633 Canoga Avenue, Canoga Park, California, within the following boundaries:

Beginning at the intersection of Ventura Boulevard and Winnetka Avenue in Woodland Hills and thence northerly along Winnetka Avenue and an extension thereof to a point four miles north of Devonshire Street; thence westerly along a straight line to the intersection of Grimes Canyon Road and Broadway in Ventura County; thence southerly along Grimes Canyon Road to its intersection with State Highway 118; thence southwesterly to a point at the top of Conejo Grade on U. S. Highway 101; thence easterly along U. S. Highway 101 and the Ventura Freeway to the Shoup Avenue off-ramp in Woodland Hills; thence along the Shoup Avenue off-ramp and Ventura Boulevard to the point of beginning at the intersection of Ventura Boulevard and Winnetka Avenue.

Restriction

Service shall be limited to passengers originating at or destined to the Rocketdyne Plant at 6633 Canoga Avenue, Canoga Park, California.

Issued by California Public Utilities Commission.

Decision No. 66857, Application No. 45994.