

ORIGINALDecision No. 68342

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of GREYHOUND LINES, INC.,
 for authority to reroute its operations
 over freeway U.S. Highway 40 (Interstate
 Highway 80): (a) between Donner Park
 overcrossing and Soda Springs Interchange,
 bypassing Donner Lake, Summit (Placer Co.),
 Norden and Soda Springs; (b) between
 Hampshire Rocks, a point just east of
 Rainbow Tavern, and Putts Lake Interchange,
 bypassing Rainbow Tavern, Big Bend Ranger
 Station, Cisco Grove and Emigrant Gap;
 (c) to substitute bus turnout facilities at
 Donner Park, Soda Springs, Cisco and Putts
 Lake in lieu of the present tariff points
 on the former U.S. Highway 40 above
 referred to as being bypassed; Nevada and
 Placer Counties; and for incidental relief,
 including highway renumbering.

Application No. 46691
 (Filed June 3, 1964)

Wm. T. Meinhold, for applicant.

J. O. Anderson, for Placer County Board of Supervisors;
Carson White, for Donner Lake; Fran Couillard, for
 Donner Summit Lodge, protestants.

H. F. Sherwood, for State Division of Highways,
 interested party.

Edward P. Thurban, for the Commission staff.

INTERIM OPINION

This application was heard October 8, 1964, before Examiner Thompson at Donner Lake. It was submitted October 16, 1964 on the receipt of late-filed Exhibit No. 3. Notices of hearing were posted, published and served in accordance with the Commission's procedural rules.

Greyhound Lines, Inc. seeks authority to reroute its operations via the new freeway (Interstate Highway 80) over the Sierra Nevada from its present route over Donner Summit (U.S. Highway 40), thereby bypassing Donner Lake, Summit (Placer Co.), Norden,

Soda Springs, Rainbow Tavern, Big Bend Ranger Station, Cisco Grove and Emigrant Gap. It proposes to stop its buses at bus turnout facilities near the freeway at Donner Park, Soda Springs, Cisco and Putts Lake in lieu of the present tariff points referred to above as bypassed.

Some 50 residents and businessmen of the Donner Lake area and of the Donner Summit area attended the hearing to protest this application. A copy of Placer County Board of Supervisors Resolution No. 64-321, dated October 6, 1964, was received in evidence as Exhibit No. 2. The Board of Supervisors opposes this application and urges the Commission to deny the authority sought by Greyhound.

Case No. 6130, Commission Investigation of Greyhound Corp., et al., was instituted June 17, 1958 immediately after the start of the conversion of U.S. Highway 40 to full freeway standard from Sacramento to Reno, Nevada. The purpose of that investigation was:

1. To determine the adequacy of the service of respondents to points on and near U.S. Highway 40 between Roseville and the California-Nevada line as a result of the freeway construction, and
2. Whether respondents should be ordered to detour from the freeway in order to furnish adequate service to any of such points.

In its Decision No. 60003 (Inv. Greyhound Corp., et al., 1960 57 Cal. P.U.C. 629) the Commission concluded that the Division of Highways should construct freeway turnout bus stops at Applegate Road, Weimar, Colfax, Monte Vista, Crystal Springs, Putts Lake, Cisco, Soda Springs and Donner Park and that the installation of adequate shelters at all bus stops on U.S. Highway 40 between Roseville and the Nevada State Line is a problem that best can be solved by the counties and local communities concerned. In discussing the issues the Commission at page 634 stated:

"The matter before the Commission presents the question of whether the advantage of a new freeway should be reduced by requiring Greyhound buses to make numerous stops in zones which have very little passenger traffic. The documentary evidence presented by Greyhound and the Commission staff show better than 90 percent of the passengers who are carried pass through the area from Sacramento to Reno. The slight local public inconvenience must be outweighed by the substantial inconvenience to the general public if the through passengers are delayed by numerous off-freeway stops."

By this application Greyhound seeks authority to do that which the Commission in 1960 said should be done. The section of the freeway between Hampshire Rocks and Putts Lake Interchange which bypasses Rainbow Tavern, Big Bend Ranger Station, Cisco Grove and Emigrant Gap was completed on or about August 1, 1964. The section of the freeway between Soda Springs and Donner Park which bypasses Donner Summit and Donner Lake was scheduled to be completed November 1, 1964. The question before us now is whether there is good cause to require Greyhound to operate in a manner different from that found by the Commission in 1960 to meet the requirements of public convenience and necessity.

Protestants offered two reasons why Greyhound should be required to continue to serve the present points between Soda Springs and Donner Park:

1. Persons riding the bus will continue to need the service.
2. Winter conditions in the area are such that persons could not survive at the unprotected bus turnouts.

The circumstances in the area between Soda Springs turnout and Donner Summit are somewhat different than those in the Donner Lake area so that the areas will be discussed separately.

Donner Summit Area

The freeway converges with U. S. Highway 40 at a point west of Soda Springs which is termed Soda Springs Interchange. The interchange consists of on and off ramps on both sides of the freeway and a bridge over the freeway. Highway 40 is adjacent to the ramps on

the southern side of the freeway. The bus turnouts, or pads as they are called by the Division of Highways, are located at the tops of the ramps leading to the freeway. Donner Summit Lodge is on Highway 40, approximately 200 yards east of the bus pad on the south side of the freeway. The summit of Donner Pass is approximately four to five miles east of that point. Highway 40 between the interchange and the summit, which we will call the Donner Summit area, is predominantly a winter recreation area. There are a number of resorts, lodges and businesses which serve winter sports enthusiasts. There are relatively few private homes in the area. On weekends during the winter there are large numbers of people in the area utilizing the winter sports facilities. Most of those persons move into and from the area by private automobile, a substantial number are transported by chartered bus and some, estimated between 75 and 300 per season by several resort operators, are transported on regular schedules of Greyhound. Other than the winter sports enthusiasts, the traffic to and from the points in the Donner Summit area consists mainly of employees of the resorts.

Exhibit No. 3 is a summary prepared by the California Department of Water Resources of snow measurements at Donner Summit and Soda Springs for the years 1910 through 1964. It discloses that during the months January through April there are heavy snows in this area.

The Assistant District Engineer for the State Division of Highways testified that the segment of U.S. Highway 40 from Soda Springs Interchange to Donner Park Interchange will be turned over to county authorities on or about June 1, 1965. Until that time the State will maintain that segment and will provide for snow removal except for that portion between Donner Summit and Donner Lake, which

is commonly called Donner grade. Upon the arrival of winter snows the Donner grade segment will be closed. He said that arrangements are being made whereby after June 1, 1965, the State will undertake to provide snow removal for the county on the road from Soda Springs to Donner Summit.

Donner Lake Area

This area lies on and about present U.S. Highway 40 from Donner Park Interchange to the foot of Donner grade. The distance along U.S. Highway 40 in this section is approximately five miles. Donner Lake is primarily a summer resort and recreation area and its economy is geared to tourists. There are 590 homes, most of which are on or near lake frontage. There are 19 motels and during the summer season the daily population is about 3,500. During the winter the homes and motels accommodate some persons who utilize the recreation facilities at Donner Summit and Squaw Valley.

Persons utilizing the services of applicant are mainly the working members of families having homes around the lake and guests in those homes. Those persons usually ride the bus to Donner Lake on Friday evening and leave by bus Sunday evening. One witness testified that she and her family are year-round residents of Donner Lake, that members of the family are completely dependent upon Greyhound for transportation, and that the family utilizes the bus service approximately three times per week.

The bus turnout at Donner Park is unprotected. There are some commercial establishments within 300 yards of the pad; however, according to the testimony, the proprietors of those establishments are averse to providing the facilities and services necessary for being "bus stops". The owner of Donner Lake Lodge is willing to have the bus stop at that establishment; it, however, is 4½ miles west of the bus turnout.

At the present time there are a number of bus schedules serving Soda Springs and other points involved herein. Under the proposal this area would be served at the bus turnouts at Soda Springs and at Donner Park.

The Board of Supervisors of Placer County protests this application. Decision No. 60003 reveals that the County of Placer was represented and participated in the proceedings in the investigation which culminated in that decision. Hearings in that investigation were held at Colfax and Rocklin. The decision states that communities and residents in the area along U.S. Highway 40 between Rocklin and Emigrant Gap participated in the proceedings. The decision indicates that the communities and the residents in the area between Soda Springs and Donner Park did not participate. While the plans for the rerouting of the freeway and the plans for use of bus turnouts at Soda Springs and Donner Park have been matters of public record since 1960, it is understandable that the notice of the placing into effect of the plan may have taken the communities by surprise. Finding 6 in Decision No. 60003 states:

"6. That the installation of adequate shelters at all bus stops on U. S. Highway 40 between Roseville and the Nevada State Line is a problem that best can be solved by the counties and the local communities concerned".

The section of the freeway here involved has only recently been completed and there has been no opportunity for the local communities to take action in that respect. The winter season is imminent so that it appears unlikely that any such action could be taken until June 1965. Other than the above circumstance, there is nothing in this record disclosing any conditions of which the Commission was not aware at the time it made its decision in 1960.

We find that:

1. The routing of buses off the freeway at Soda Springs to stop at Donner Summit Lodge will result in a delay in schedules of 10 minutes.

2. The routing of buses off the freeway at Donner Park to stop at Donner Lake Lodge will result in a delay in schedules of at least 30 minutes.

3. The local public inconvenience of having buses stop at the established freeway bus turnouts is outweighed by the substantial public inconvenience to the general public if the through passengers are delayed by off-freeway stops.

4. The bus turnouts at Donner Park and Soda Springs are completely unprotected and very frequently during the winter season they would not be safe for passengers.

5. The adequate sheltering of bus stops at Donner Park and Soda Springs is a problem that best can be solved by the counties and local communities concerned.

6. The local communities concerned have not had opportunity to make provision for adequate shelter at the bus turnouts at Donner Park and Soda Springs and will not have that opportunity until June 1965.

7. Public convenience and necessity require Greyhound to serve the community of Donner Lake with at least two schedules westbound and two schedules eastbound daily.

8. Public convenience and necessity require Greyhound to serve the community of Soda Springs with at least two schedules eastbound and two schedules westbound daily.

9. During the coming winter season present U.S. Highway 40 will be closed to through traffic at Donner grade.

10. Donner Lake Lodge at Donner Lake is willing and able to accommodate and provide shelter for Greyhound passengers at its place of business and its facilities are reasonably safe for the boarding and unloading of passengers.

11. Donner Summit Lodge is willing and able to accommodate and provide shelter for Greyhound passengers at its place of business and its facilities are reasonably safe for the boarding and unloading of passengers.

12. Public convenience and necessity require the establishment of service as provided for in the ensuing order.

13. In order to meet the requirements of public convenience and necessity Greyhound should until July 1, 1965 schedule its buses over Interstate Highway 50 between Sacramento and Truckee so that passengers at Donner Lake will be provided with daily service, either direct or via reasonable connection at Truckee, with at least two eastbound and at least two westbound schedules to and from Donner Lake Lodge; and so that passengers at Soda Springs will be provided with daily service with at least two eastbound and at least two westbound schedules to and from Donner Summit Lodge.

14. Applicant should be required to show in its timetables with respect to schedules stopping at the freeway bus turnouts at Soda Springs and at Donner Park that those points are highway stops at which shelter and telephones are not available.

15. The particular schedules which should provide service to Donner Lake Lodge and to Donner Summit Lodge should not be designated by the Commission at this time; rather applicant by the posting and filing of its timetables should designate the manner in which it intends to provide service in accordance with the foregoing findings and conclusions; it should serve a copy of said timetable upon the

parties of record; and, for the purpose of determining the suitability of such schedules or prescribing different schedules, this proceeding should be kept open.

16. In all other respects the application should be granted.

17. The communities should be placed on notice that the ensuing order will require Greyhound to provide service to Donner Lake Lodge and to Donner Summit Lodge only until July 1, 1965 and that after said date Greyhound will be authorized to provide service only at the designated freeway bus turnouts; that the reason for requiring Greyhound to serve the off-freeway points until that date is that the communities did not have adequate opportunity to provide facilities which will reasonably accommodate passengers at the freeway turnouts during this winter season.

18. A copy of this order together with a copy of Decision No. 60003 should be served upon all the parties herein in order that they may be fully informed with respect to the Commission's prior action regarding this matter.

19. Because the closing of Donner grade to through traffic as a result of winter conditions is imminent the ensuing order should be made effective without delay.

In this application Greyhound requested revision of its Route No. 3.08 to reflect the fact that the highway between Diamond Springs Junction and El Dorado has been designated as California Highway 49. That was accomplished by Decision No. 68202 in Application No. 46992 so that no such revision is necessary herein.

The Commission concludes that the application should be granted to the extent provided in the following order.

INTERIM ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is hereby granted to Greyhound Lines, Inc. 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 set forth in Eighth Revised Page 5, attached hereto, as an extension and enlargement of, consolidation with and subject to all the limitations and restrictions set forth in the certificate granted by Decision No. 55893, as amended.

2. Appendix A of Decision No. 55893 as amended is hereby further amended by incorporating Eighth Revised Page 5, attached hereto, in revision of Seventh Revised Page 5.

3. Applicant shall, until July 1, 1965, provide Donner Lake Lodge with daily service, either direct or via reasonable connection at Truckee, of at least two schedules eastbound and two schedules westbound; and, until July 1, 1965, shall provide Donner Summit Lodge with daily service of at least two schedules eastbound and two schedules westbound; said Donner Lake Lodge and Donner Summit Lodge to be served as off-route points from Donner Park and Soda Springs, respectively.

4. Applicant shall show in its timetables with respect to schedules stopping at the freeway bus turnouts at Soda Springs and Donner Park that those points are highway stops at which shelter and telephones are not available.

5. 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.
- (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 to 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.

The Secretary of the Commission is directed to cause a copy of this order together with a copy of Decision No. 60003 to be served upon the parties of record.

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

Dated at San Francisco, California, this 15th day of DECEMBER, 1964.

Frederick B. Hallock
President

George T. Hoover
Commissioners

William C. Bennett
Commissioners

ROUTE GROUP 3

*3.01 - Between the Nevada-California State Line west of Floristan,
and Sacramento:

From the point where Interstate Highway 80 intersects the Nevada-California State Line, over Interstate Highway 80 to junction U.S. Highway 40 (Elvas Junction), thence over U.S. Highway 40 to Sacramento.

Authority is granted to serve all intermediate points and also the points of Colfax and Auburn over available access highways to Interstate Highway 80.

Authority is granted to serve the points of Donner Lake Lodge and Donner Summit Lodge over available access highways to Interstate Highway 80.^{1/}

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

Until uncompleted segments of Route No. 3.01 are open for travel, authority is granted to temporarily deviate therefrom over available detour routes.

*3.02 - Between Nevada City and Auburn:

From Nevada City over California Highway 20 to Grass Valley, thence over California Highway 49 to Auburn.

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

Authority is not granted to serve intermediate points between Grass Valley and Nevada City and traffic to or from Nevada City may be transported only on through schedules originating at or destined to Sacramento or points beyond.

*3.03 - Between Elvas Junction and Sacramento:

From junction Interstate Highway 80 and U.S. Highway 99E (Elvas Junction) to Sacramento, to be operated as an alternate route.

*3.04 - Between Tahoe Junction and Tahoe Valley Junction:

From junction Interstate Highway 80 and California Highway 89 (Tahoe Junction), over California Highway 89 to junction U.S. Highway 50 (Tahoe Valley Junction).

Regularly scheduled service is authorized to be conducted during the summer season only. Service in Special Operations may be conducted throughout the year.

Issued by California Public Utilities Commission.

*Revised by Decision No. 68342, Application No. 46691.

^{1/} Expires July 1, 1965.