

**ORIGINAL**Decision No. 69016

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 AMERICAN BUSLINES, INC., a corpo- )  
 ration, for authority to abandon )  
 passenger stage service between )  
 Pittsburg and Sacramento, pursuant )  
 to Sections 1031-1036 of the Public )  
 Utilities Code. )

Application No. 47013  
 (Filed September 29, 1964)

In the Matter of the Application of )  
 ROBERT A. BURROWES, an individual )  
 doing business under the fictitious )  
 name of LINCOLN BUS LINE, for a )  
 certificate of public convenience )  
 and necessity to establish passen- )  
 ger stage service between Stockton )  
 and Sacramento, via Rio Vista, )  
 pursuant to Sections 1031-1036 of )  
 the Public Utilities Code. )

Application No. 47210  
 (Filed December 23, 1964)

Russell & Schureman, by R. Y. Schureman, for  
 American Buslines, Inc.; and Robert A.  
Burrowes, for himself, applicants.  
Miles W. Hoff, for Stockton Metropolitan  
 Transit District, protestant.  
Henry L. Tussy, for Rio Vista Chamber of  
 Commerce; and Raymond F. Barth, for City  
 of Rio Vista, interested parties.  
Hilton H. Nichols, for the Commission staff.

O P I N I O N

American Buslines, Inc. requests that it be authorized to discontinue and abandon its service at all points and places on Highway 24 between Pittsburg and Sacramento.

Robert A. Burrowes, an individual, doing business under the fictitious name of Lincoln Bus Line (hereinafter referred to as Lincoln Bus Line), presently conducts operations between the City of Stockton, on the one hand, and on the other, various points to the north of said municipality. Lincoln Bus Line now proposes

to extend said service so as to provide service between the City of Stockton, on the one hand, and on the other hand, the City of Sacramento. Under the proposed service a route would be established between the City of Stockton and the City of Rio Vista, thence over the River Route which presently is served by American Buslines, Inc. and which it now seeks to abandon.

The matters were consolidated and a public hearing was held before Examiner Porter on January 4, 1965, at Rio Vista, and the matters submitted.

The regional manager testified that American Buslines, Inc., despite prior relief granted by this Commission, is continuing to suffer substantial out-of-pocket losses in providing service between Pittsburg and Sacramento. Exhibit C attached to the application shows a net loss of \$10,099.40 for the twelve months ending May 31, 1964 by the Sacramento-Pittsburg division (via Highway 24):

American Buslines, Inc. supports the application of Lincoln Bus Line and is willing to help with depot service and express traffic and sell or rent to Lincoln Bus Line at a reasonable price a bus adequate to provide the service herein proposed by Lincoln Bus Line.

Robert A. Burrowes testified as to extensive background in the bus transportation business. At present he operates in the Stockton area. He testified that Lincoln Bus Line should make a profit if the proposed extension of service is granted. The City of Stockton, being one of the points on the proposed route, should provide additional passengers. Being a smaller operator than American Buslines, Inc., he felt that his costs would be less than those of American Buslines, Inc. Additionally, passenger

fares proposed for Lincoln Bus Line, in Exhibit F attached to the application, are approximately 20 percent greater than those charged by American Buslines, Inc. for service between like points. Exhibits A and B attached to the application of Lincoln Bus Line show a net income of \$1,694.89 for the ten months ending October 31, 1964, with total assets of \$13,623.05 as of November 15, 1964.

Public witnesses testified that they favored the application of Lincoln Bus Line; they felt that the additional service to Stockton would be beneficial to their communities.

The proposed discontinuance of service by American Buslines, Inc. and concurrent establishment of service by Lincoln Bus Line will result in the abandonment of that portion of the present route between Pittsburg and Rio Vista; it is alleged that approximately 15 percent of the present passengers will be affected by the abandonment.

The Transit Authority of the City of Sacramento and the Stockton Metropolitan Transit District registered protests with this Commission to the application of Lincoln Bus Line unless certain restrictions were imposed upon applicant as to operations within their districts. Lincoln Bus Line is willing to accept such restrictions.

There is a possibility that Lincoln Bus Line may not be as successful as anticipated, particularly in view of the losses being experienced by American Buslines, Inc. Under all the circumstances, the sought authority should not be granted, and would be contrary to the public interest, unless it is conditioned upon American Buslines' reestablishing its operations in the event Lincoln Bus Line is compelled to discontinue service. We find that, subject to that condition and pending a demonstration of Lincoln Bus Line's ability to maintain its proposed operations, a two year suspension (but not the abandonment) of American Buslines' service on Highway 24 between Pittsburg and Sacramento would not be contrary to the public interest, and that public convenience and necessity require the granting of the authority sought by Robert A. Burrowes.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is hereby granted to Robert A. Burrowes authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, for the transportation of passengers, baggage and shipments of express weighing 100 pounds or less on passenger carrying vehicles only, at the passenger fares and express rates shown in Exhibits F and G attached to the application and between the points and over the routes set forth in First Revised Page 2 (Robert A. Burrowes), Third Revised Page 3 and Original Page 5, attached hereto, as an extension and enlargement of and consolidation with, and subject to all the limitations and restrictions set forth in, the certificate granted by Decision No. 61118 as amended.

2. Appendix A of Decision No. 61118, as heretofore amended, is further amended by incorporating therein said:

First Revised Page 2 (Robert A. Burrowes) in revision of Original Page 2;  
Third Revised Page 3 in revision of Second Revised Page 3; and  
Original Page 5.

3. In providing service pursuant to the certificate herein granted, Robert A. Burrowes shall comply with and observe the following service regulations:

- (a) Within thirty days after the effective date hereof, Robert A. Burrowes shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, Robert A. Burrowes 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 safety rules, or the provisions of General Orders Nos. 98 or 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, Robert A. Burrowes 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.

4. American Buslines, Inc. may suspend until July 1, 1967 passenger stage service between Pittsburg and Sacramento concurrently with the effective date of the establishment of service by Robert A. Burrowes as authorized herein, subject to the condition that, in the event Robert A. Burrowes, doing business as Lincoln Bus Line, discontinues or abandons the passenger stage service referred to in the foregoing opinion, American Buslines, Inc. shall immediately re-establish the passenger stage operations referred to in this paragraph 4.

5. Appendix A of Decision No. 65274 is hereby amended by incorporating therein First Revised Page 2 (American Buslines, Inc.), attached hereto, in revision of Original Page 2.

6. American Buslines, Inc. shall amend its tariffs and timetables on not less than ten days' notice to the Commission and the public to reflect the authority herein granted to it,

concurrently with the effective date of the establishment of the service referred to in ordering paragraph 3(b) hereof.

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

Dated at San Francisco, California, this 4<sup>th</sup> day of MAY, 1965.

Fredrick B. Helblott  
President

John E. B. [unclear]

George L. [unclear]

[unclear]

[unclear]  
Commissioners

Appendix A  
(Decision 61118)

ROBERT A. BURROWES  
doing business as  
LINCOLN BUS LINE

First Revised Page 2  
Cancels  
Original Page 2

Section 1. GENERAL AUTHORIZATIONS AND SPECIFICATIONS.

Robert A. Burrowes, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to:

- (a) Transport passengers between Colonial Heights, Lincoln Village, on the one hand, and the City of Stockton, on the other hand, and certain intermediate points thereto.
- \*(b) Transport passengers, baggage and express between Stockton and Sacramento via Rio Vista and intermediate points.

Operations shall be conducted over and along the routes hereinafter described, and are subject to the following conditions:

- (1) 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.
- (2) When route descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.

Issued by California Public Utilities Commission.

\*Added by Decision No. 69016, Application No. 47210.

Appendix A  
(Decision 61118)

ROBERT A. BURROWES  
doing business as  
LINCOLN BUS LINE

Third Revised Page 3  
Cancels  
Second Revised Page 3

Lincoln District - Downtown Stockton Route:

Beginning at the intersection of Morada Lane and Santa Maria Way, via Morada Lane, El Dorado Street, San Francis Avenue, Santa Maria Way, Morada Lane, Sacramento Road, Paloma Avenue, Pershing Drive, Hammer Lane, Alexandria Place, Meadow Avenue, Pershing Avenue, Lincoln Road, Gettysburg Place, Douglas Road, Leeburg Place, Poik Way, Alexandria Place, Swain Road, El Dorado Street, Jamestown Street, Claremont Avenue, Bianchi Road, Pacific Avenue, Maple Street, Center Street, Oak Street, Hunter Street, Channel Street, San Joaquin Street, Weber Avenue, El Dorado Street and Castle Street to Pacific Avenue.

Also from Pacific Avenue and Bianchi Road, thence via Pacific Avenue and Thornton Road to Paloma Avenue.

Restriction: Passengers shall not be transported whose origin and destination are both between the intersection of the Calaveras River and Pacific Avenue and points south thereof.

Issued by California Public Utilities Commission.

Decision No. 69016, Application No. 47210.



## Stockton - Sacramento Route:

Commencing in the City of Stockton, thence via city streets, Pacific Avenue, Thornton Road (County Road J-8), State Highway 12 to Rio Vista, thence via State Highway 160 and county roads through Walnut Grove, Locke and Vorden; thence via State Highway 160 to Sacramento. Also from Isleton via unnumbered county road to its junction with State Highway 12.

Restrictions: Passengers shall not be transported whose origin and destination are both between:

- (a) The intersection of Thornton Road and Eight Mile Road and points south thereof,  
or
- (b) The intersection of State Highway 160 (Freeport Road) and the southern city limits of Sacramento located 0.8 mile south of Meadowview Road, and points north thereof.

Issued by California Public Utilities Commission.

Decision No. 69016, Application No. 47210.

Appendix A  
(Decision 65274)

AMERICAN BUSLINES, INC. First Revised Page 2  
Cancels  
Original Page 2

ROUTE GROUP 1

1.01 - Between Sacramento and California-Nevada State Line via Floriston:

From Sacramento over city streets to U. S. Highway 40 (Interstate Highway 80), thence over U. S. Highway 40 (Interstate Highway 80) to the California-Nevada State Line.

1.02 - Between Pittsburg and Sacramento:  
(Suspended Until July 1, 1967)

From Pittsburg over city streets to California State Highway 160, thence on California State Highway 160 to Sacramento.

Issued by California Public Utilities Commission.

Changed by Decision No. 69016, Application No. 47013.