

ORIGINALDecision No. 69104

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PEERLESS STAGES,
 INCORPORATED, a California corpo-
 ration, for a certificate of
 public convenience and necessity
 to operate passenger stage service
 between Fremont, Oakland, inter-
 mediate points thereto and
 Candlestick Park; and to establish
 fares.

Application No. 47477
 (Filed April 7, 1965)

O P I N I O N

Applicant seeks a certificate for passenger stage service to and from the San Francisco baseball park (Candlestick Park) on the days when games are played. One route would start at the Fremont Hub and proceed via the Centerville, Decoto and Hayward depots over the San Mateo Bridge to Bayshore Freeway and Candlestick Park. The other would start at Jack London Square in Oakland. It would move via Broadway, 5th-6th Streets, Grove Street, San Pablo Avenue, Grand Avenue and Nimitz Freeway to the Bay Bridge, Bayshore Freeway and Candlestick Park.

The carriers most concerned, even though the proposed services will not compete with them directly, are Western Greyhound Lines Division and Alameda Contra Costa Transit District which operate in the same area. A. C. Transit did not protest. Western Greyhound Lines protested. However, when, on April 27, 1965, Peerless amended its application to eliminate any pickup or delivery of passengers in San Mateo County, this protest was withdrawn.

There is presently no common carrier service between the East Bay points concerned and Candlestick Park. Charter services have been available, but no individual fare common carrier service has been available.

Applicant proposes a round-trip fare of \$2.25 which would apply from all points in Fremont, Hayward and Oakland. This fare appears reasonable and will be authorized.

The Commission finds that:

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 service proposed by applicant be authorized.
3. The round-trip fare proposed by applicant is fair and reasonable for the service to be rendered.

The Commission concludes that the application should be granted.

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.

The San Francisco baseball season began on April 20, 1965. Therefore, the following order will be made effective on the date hereof and tariff filings will be allowed on one day's notice to the Commission and the public. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Peerless Stages, Incorporated, a California 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 Original Page 20 of Appendix A attached hereto, as an extension and enlargement of the certificate granted by Decision No. 58790.
2. Appendix A of Decision No. 58790, as heretofore amended, is hereby further amended by incorporating therein Original Page 20.
3. 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 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, 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 one day after the effective date of this order on not less than one day's 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.

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

Dated at San Francisco, California, this 20th day of MAY, 1965.

Frederick B. Halbach
President

Robert S. Mitchell

George T. Crover

Augustin

William G. Brown
Commissioners

ROUTES NUMBER 10

Oakland, Fremont and Candlestick Park

Route 10-A From the intersection of Mowry Avenue and Fremont Boulevard, in the City of Fremont, thence along Fremont Boulevard, Peralta Boulevard, Mission Boulevard, Jackson Street, San Mateo Bridge, Third Avenue, U. S. Highway 101 Bypass (Bayshore Freeway), Third Street, and Ingerson Avenue to Candlestick Park.

Route 10-B From Jack London Square in the City of Oakland, thence along Broadway, Sixth Street, Grove Street, Twentieth Street, Castro Street, San Pablo Avenue, Grand Avenue, State Highway 17 (Nimitz Freeway), San Francisco-Oakland Bay Bridge, U. S. Highway 101 (James Lick Freeway), U. S. Highway 101 Bypass (Bayshore Freeway), San Bruno Avenue, Paul Avenue and Gilman Avenue to Candlestick Park.

Also from the intersection of Sixth Street and Grove Street in the City of Oakland, thence along Grove Street and Fifth Street to its intersection with Broadway.

Restrictions: No passengers shall be picked up or discharged at any point in San Mateo County or in San Francisco County, except at Candlestick Park. Passengers shall be limited to those having either origin or destination at Candlestick Park, and service shall be provided at times when games occur.

Issued by California Public Utilities Commission.

Decision No. 69104, Application No. 47477.