

ORIGINAL

Decision No. 70533

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 JACK A. ROESCH, doing business as)
 WESTERN TRAIL STAGES, for a)
 Certificate of Public Convenience)
 and Necessity to operate as a)
 passenger stage. (To California)
 "Angels" baseball games, Anaheim)
 and to abandon portion of present)
 service (From Redlands to Dodger)
 Stadium in Los Angeles).)

Application No. 48152
 (Filed December 24, 1965;
 (Amended February 3, 1966)

O P I N I O N

Jack A. Roesch, doing business as Western Trail Stages, is a passenger stage corporation presently transporting passengers generally between points in San Bernardino County, on the one hand, and Dodger Stadium in Los Angeles, on the other hand, and between Redlands and Riverside, on the one hand, and Dodger Stadium in Los Angeles, on the other hand. Applicant requests authorization to extend such passenger stage operations so as to transport passengers from San Bernardino, Riverside, Arlington, and Corona, to Anaheim Stadium, Anaheim, California, on those days the California "Angels" play special and regularly scheduled home games at Anaheim Stadium.

Applicant alleges that the demands for such service by Riverside and San Bernardino County residents justify the proposed extension. Only round-trip passengers will be carried. The fare will be \$3.25, which is the present fare from San Bernardino to Los Angeles Dodger Stadium. No comparable service is now

available to the public. Service will be rendered on all those days that the California "Angels" baseball team plays regularly scheduled league home games at its field in Anaheim, California, together with those days of special post season games or World Series Games that will be played at Anaheim. Tickets will be honored only on the day indicated on the ticket. No passengers will be picked up or discharged at any point in Orange County other than at Anaheim Stadium.

Applicant proposes a schedule leaving San Bernardino two hours and 15 minutes before a game, travel time to be one and one-half hours. Applicant proposes to use modern air-conditioned buses of the type now used to Dodger Stadium.

Applicant also now desires to abandon that portion of its said service with respect to the City of Redlands, California, and Dodger Stadium in Los Angeles for the reason and on the ground that experience has shown that there is no public need or desire whatsoever for said service and that although applicant has maintained this service, almost no persons in the City of Redlands or the Redlands area have used the service to Dodger Stadium.

Copies of the application and the amended application have been mailed to Los Angeles Metropolitan Transit Authority (now Southern California Rapid Transit District) and the Boards of Supervisors of Orange County, Riverside County, and San Bernardino County, who are the parties most likely to be affected, and no protests have been received. The Commission staff has reported favorably on the application.

The financial statement attached to the amended application discloses that applicant had total assets of \$597,000 at close of business September 30, 1965. A quarterly report to the Interstate Commerce Commission, filed with the amended application, alleges that applicant has 25 drivers on his payroll.

Upon consideration of the evidence, the Commission finds as follows:

1. Public convenience and necessity do not require that applicant continue to operate his passenger stage service between Redlands, California, and Dodger Stadium at Los Angeles, California, and authority to abandon this service should be granted.

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

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

A public hearing is not necessary.

Jack A. Roesch, doing business as Western Trail Stages, 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. Applicant is authorized to discontinue passenger service from Redlands, California, to Dodger Stadium in Los Angeles.

2. A certificate of public convenience and necessity is granted to Jack A. Roesch, doing business as Western Trail Stages, 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 particularly set forth in Appendix A attached hereto and made a part hereof.

3. Appendix A of Decision No. 66715, as heretofore amended, is further amended by incorporating therein Second Revised Page 2, Third Revised Page 3, Second Revised Page 5, Third Revised Page 7, and First Revised Page 8, attached hereto, in revision of First Revised Page 2, Second Revised Page 3, First Revised Page 5, Second Revised Page 7, and Original Page 8.

4. Applicant shall post a clearly legible notice of discontinuance and change of service in his buses at least ten days prior to discontinuance.

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. Applicant is placed on notice that, if he accepts the certificate of public convenience and necessity herein granted, he will be required, among other things, 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-A and insurance requirements of the Commission's General Order No. 101-A. Failure to comply with and observe the safety rules, or the provisions of General Orders Nos. 98-A 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 three days after the effective date of this order on not less than three 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-A.
- (e) Applicant shall maintain his accounting records on a calendar year basis in conformance with the applicable Uniform System of Accounts or Chart of Accounts as prescribed or adopted by this Commission and shall file with the Commission, on or before March 31 of each year, an annual

report of his operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

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

Dated at San Francisco, California, this 5th day of APRIL, 1966.

Fredrick B. Holbeck
President

George T. Traver

August

Dallan V. Burnett
Commissioners

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

Appendix A
(Decision No. 66715)

JACK A. ROESCH
doing business as
WESTERN TRAIL STAGES

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Issued by California Public Utilities Commission.

*Changed by Decision No. 70533, Application No. 48152.

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

Jack A. Roesch, doing business as Western Trail Stages, is authorized to transport persons, their baggage and express, between points specified in paragraph 5 below, and persons between points specified in paragraphs 2, 3 and 4 below:

- *2. The cities of San Bernardino, Riverside and Corona, on the one hand, and Anaheim Stadium, on the other hand;
3. Points in San Bernardino County as hereinafter specified, on the one hand, and Dodger Stadium (City of Los Angeles), on the other hand;
4. The City of Riverside, on the one hand, and Dodger Stadium (City of Los Angeles), on the other hand;
5. The City of San Bernardino, on the one hand, and San Bernardino mountain resorts, including Crestline, Lake Arrowhead and Big Bear Lake, on the other hand,

over and along the routes hereinafter described, subject to the conditions and restrictions hereinafter set forth.

Issued by California Public Utilities Commission.

*Added by Decision No. 70533, Application No. 48152.

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS, AND SPECIFICATIONS (Continued)*(c) Routes Nos. 2, 3 and 4

Service from points in San Bernardino County and the City of Riverside (Routes 3 and 4) to the Dodger Stadium, and from the Cities of San Bernardino, Riverside, and Corona (Route 2) to the Anaheim Stadium, shall be rendered on a round trip basis only.

- (1) Applicant shall operate Routes 3 and 4 when the Los Angeles Dodgers are playing in Dodger Stadium and Route 2 on all days that the California Angels play regularly scheduled home, special post season, or World Series games at the Anaheim Stadium.
- (2) Specific pickup points in the County of San Bernardino and cities authorized shall be named in applicant's tariff.

Issued by California Public Utilities Commission.

*Changed by Decision No. 70533, Application No. 48152.

Appendix A
(Decision No. 66715)

JACK A. ROESCH
doing business as
WESTERN TRAIL STAGES

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SECTION 2. ROUTE DESCRIPTIONS

*Route 2. San Bernardino - Riverside - Arlington -
Corona - Anaheim Stadium

Commencing at 24644 - 9th Street, San Bernardino, thence along 9th Street, E Street, 5th Street, G Street, F Street (Greyhound Station), 4th Street, Barstow Freeway, Riverside Freeway, 7th Street (Riverside), Market Street, 14th Street, Commerce Street (Bestway Lot), Prospect Avenue, Vine Street, 14th Street, Riverside Freeway, Van Buren Boulevard (Texaco Station), Riverside Freeway, Main Street (Corona), 4th Street, Ramona Avenue, 5th Street, Riverside Freeway, State College Boulevard to Anaheim Stadium.

Issued by California Public Utilities Commission.

*Changed by Decision No. 70533, Application No. 48152.

SECTION 2. ROUTE DESCRIPTIONS (Continued)

*Route 3. San Bernardino - Dodger Stadium

Commencing in the City of San Bernardino; thence via city streets and the most direct and appropriate route to the City of Ontario; thence via city streets to the San Bernardino Freeway; thence along said freeway and appropriate city streets to the Dodger Stadium.

Route 4. Riverside - Dodger Stadium

Commencing in the City of Riverside; thence via city streets to Highway 60; thence via Highway 60 to Euclid Avenue in the City of Ontario; thence via Euclid Avenue to the San Bernardino Freeway; thence along said freeway and appropriate city streets to the Dodger Stadium.

Issued by California Public Utilities Commission.

*Changed by Decision No. 70533, Application No. 48152.