

ORIGINAL

Decision No. 70629

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of GREYHOUND LINES, INC.,
WESTERN GREYHOUND LINES DIVISION, for
an order authorizing increases in San
Francisco Bay Area commutation fares.

Application No. 46833
Filed July 23, 1964;
Amended January 25, 1965

Application of Greyhound Lines, Inc.,
Western Greyhound Lines Division, for
an order authorizing a statewide
increase in intrastate passenger
fares other than commutation fares in
Peninsula, Contra Costa and Marin
commutation services.

Application No. 46904
Filed August 19, 1964

Investigation into the operations,
rates of fare, practices, routes,
schedules, tariffs, service equipment
and facilities of Greyhound Lines,
Inc., Western Greyhound Lines Division,
in the San Francisco Bay Area.

Case No. 8009
Filed September 22, 1964

ORDER DENYING REHEARING

Petition for rehearing of Decision No. 70262 having been
filed by Greyhound Lines, Inc., Western Greyhound Lines Division,
and the Commission having considered said petition and each and
every allegation therein, and being of the opinion that no good
cause for rehearing has been made to appear,

IT IS ORDERED that said petition for rehearing be, and the
same is, hereby denied.

Dated at San Francisco, California, this 26th day
of APRIL, 1966.

*We will file a
dissenting opinion.
George E. Brown
Frederick B. Holshoff
Decision for reasons to
be stated separately
J. William Daniels*

Paul E. Dwyer President

Augustine

Commissioners

CONCURRING OPINION

BENNETT, WILLIAM M., Commissioner, Concurring Opinion:

I concur in the order denying rehearing for these reasons:


The thrashing about of Greyhound Lines, Inc. to avoid rendering public service along the Skyline Boulevard route is hardly in keeping with a common carrier's obligation.

One of the problems of a growing society is that of adequate commute service. The coast region along the Skyline Boulevard route has changed dramatically over a period of a relatively few years. This area is another of the bedroom communities of San Francisco and a significant number of persons are dependent upon employment in San Francisco for livelihood. This means an efficient and adequate bus commuter service from home to place of employment. The economic position of the average householder let alone the traffic congestion which is becoming more common to the region inhibits one from the use of the private vehicle for purposes of commuting. This means then that either a public body must render transportation service or in the alternative as here then the only carrier possessing a privilege from the people of the State of California to furnish service must meet its responsibility.

Greyhound Lines, Inc. should not rest upon the narrow position founded in doctrine worked out at a time when California was primarily an agricultural state that it need not nor should it serve the Skyline Boulevard extension. Leaving aside the question of Greyhound's obligation, it is my opinion that Greyhound being an overall prosperous system can well afford to render public service to Californians living along the ocean shore route. But more than that as a matter of law, Greyhound having secured originally a certificate to render service in this area can reasonably be held to have taken thereby the obligation to meet the growth needs of the region. That public necessity exists here is abundantly clear. In my view not only is the

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service here being ordered a thing of necessity but as a matter of fact it is long overdue. And before Greyhound seeks to challenge the authority of this Commission to compel service, it should contemplate and seriously that it is a public service corporation and that it is dealing with men, women and children, taxpayers all and voters all, who will little understand the failure of Greyhound to carry them to and from work.


WILLIAM M. BENNETT
Commissioner

DATED: April 26, 1966
San Francisco, California

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Application No. 46833
Application No. 46904
Case No. 8009

DISSENTING OPINION TO ORDER DENYING REHEARING

We would grant rehearing, limited to that part of Decision 70262 which requires Greyhound to institute year-round commute service on the Skyline route. Our objections to the Skyline order have been set forth in our dissent to Decision 70262, and we would have no occasion to add additional comment now were it not for the concurring opinion filed yesterday by one of the other Commissioners.

The effort to picture Greyhound as the heavy in this proceeding is demagogic pretense. Greyhound is under no duty to donate money to the Skyline service, and any attempt by this Commission to make Greyhound do so is prohibited by the Fourteenth Amendment to the United States Constitution. Under the law, it is Greyhound's customers who will ultimately pay the cost of the new service.

But what customers? Because the Commission has priced Bay Area commute service below cost, Greyhound's other customers have to make up the difference. Expansion of the losing commute operations means a greater rate burden on Greyhound riders throughout the rest of California. And as we pointed out in our original dissent, that burden will fall with special severity upon the poor.

George G. Grover

GEORGE G. GROVER
Commissioner

Frederick B. Holboff

FREDERICK B. HOLOBOFF
Commissioner

San Francisco, California

April 27, 1966