

ORIGINAL

Decision No. 76088

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of John C. Hastie, dba 29 PALMS STAGES for extension of the present certificate of public convenience and necessity so as to permit operation of a passenger stage line to serve Palm Springs, and to increase certain passenger fares and express rates, and to discontinue such service to Banning, California.

Application No. 51197
(Filed June 25, 1969)

O P I N I O N

Applicant presently provides service as a passenger stage corporation between the Marine Corps Training Center approximately five miles north of Twentynine Palms, on the one hand, and Banning, on the other hand, a distance of approximately 70 miles. En route, service is provided to the intermediate points of Twentynine Palms, Joshua Tree, Yucca Valley, Morongo, Whitewater and Cabazon. The presently effective fares were established in 1954.

Applicant seeks authority to (1) abandon service over approximately 20 miles of the route, i.e., that portion between Banning and the intersection of Pierson Boulevard and the Twentynine Palms Highway (State Route No. 62); (2) extend service between the latter intersection and the Palms Springs Airport, a distance of approximately 13 miles, serving the Cities of Desert Hot Springs and Palm Springs en route; and (3) increase the passenger fares and express rates.

Copies of the application were served on interested governmental agencies and businesses, and notices of the proposed rerouting and fare and rate increases were posted in applicant's buses and terminals as required by the Commission. The application was listed on the Commission's Daily Calendar of June 27, 1969. No protests have been received.

Applicant will continue to use his existing equipment. He will maintain approximately the same frequency of service.

As justification for the abandonment of service, applicant alleges that a passenger check made during the week of May 2 through May 8, 1969, showed that 212 passengers used the service to or from Banning. Of these, only nine terminated at or originated in Banning. The remaining 203 passengers had used a connecting carrier (Greyhound) to get to or depart from Banning. Each passenger desiring to transfer to or from Greyhound can do so at Palm Springs with more frequent schedules.

The proposed rerouting will enable applicant to render service between Desert Hot Springs and Palm Springs, and in addition will enable applicant to provide service to and from the Palm Springs Airport. The commanding officer of the Twentynine Palms Marine Corps Base has requested that applicant be authorized to provide the service to and from the airport and Palm Springs. The City of Palm Springs has requested that the application be granted.

Results of Operation

Applicant requests increases in all fares and in his express charges. For example, the one-way passenger fare between Morongo and the Twentynine Palms Marine Corps Base administration building is to be increased from \$1.50 to \$1.85. Express rates are to be increased from 70 cents for not over 100 pounds to \$1.50 for not over 100 pounds.

Applicant alleges that he suffered losses in 1966, 1967 and 1968, varying from \$2,303 to \$1,632. Applicant's operating statement for 1968 shows total operating revenues of \$22,703 and total expenses of \$24,335, giving a net loss from operations of \$1,632 and resulting in an operating ratio of 106.5. He alleges that the recorded expenses include no compensation for his time for operating the company. Applicant estimates that the proposed rates and fares will give additional revenues of \$10,600 which sum will enable him to receive some compensation for his services as driver and manager. The Transportation Division has analyzed the application and recommends it be granted.

Findings and Conclusion

We find that:

1. Public convenience and necessity no longer require that applicant provide passenger stage service between Banning and the junction at Pierson Boulevard and Twentynine Palms Highway and the discontinuance of such services will not be adverse to the public interest.
2. Public convenience and necessity require that applicant extend service as a passenger stage corporation between the junction of Pierson Boulevard and Twentynine Palms Highway on the one hand, and the Palm Springs Airport, on the other hand, serving Desert Hot Springs and Palm Springs en route.
3. The applicant's estimated results of operation are reasonable and should be adopted for the purpose of this proceeding. Applicant is operating at a loss via the present route and at the present rates and fares. Applicant will operate at a profit over the proposed route at the proposed rates and fares.

4. The increases in fares and rates requested in the application and herein authorized are reasonable and justified.

5. The presently authorized rates and fares insofar as they differ from those herein prescribed are for the future unjust and unreasonable.

6. A public hearing is not required.

We conclude that the application should be granted.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to John C. Hastie 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.

2. The certificate of public convenience and necessity granted in paragraph 1 of this order shall supersede the certificates of public convenience and necessity granted by Decisions Nos. 31477 and 49949, which certificates are revoked effective concurrently with the effective date of the tariff filings required by paragraph 3 hereof.

3. In providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations. Failure so to do may result in a cancellation of the operating authority granted by this decision.

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-C.

- b. Within sixty 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 five days after the effective date of this order on not less than five 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 their operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

4. Applicant is hereby directed to post and maintain in his vehicles and each terminal a notice of the increased rates and fares and the rerouting herein authorized. Such notice shall be continuously posted prior to the effective date of such fare and rate increase and the change in routing and shall remain posted for a period of not less than ten days. There shall be no change in routing until the expiration of said period.

5. The authority herein granted shall expire unless exercised within sixty days after the effective date of this order.

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

Dated at San Francisco, California, this 26th day of AUGUST, 1969.

William J. ...
President

August

Robert M. ...

Commissioners

Appendix A

JOHN C. HASTIE
doing business as
29 PALMS STAGES

Original Page 1.

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY

Showing passenger stage operative rights, restrictions, limitations, exceptions and privileges applicable thereto.

All changes and amendments as authorized by the Public Utilities Commission of the State of California will be made as revised pages or added original pages hereto.

Issued under authority of Decision No. 76088, dated Aug. 26, 1969, of the Public Utilities Commission of the State of California, in Application No. 51197.

JOHN C. HASTIE, doing business as 29 Palms Stages, by certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers, baggage and express between the City of Palm Springs (Airport), in Riverside County, and Twentynine Palms Marine Corps Base, in San Bernardino County, over and along the route as described hereinafter, subject to the following conditions and restrictions:

1. No passengers, baggage or property shall be transported where origin and destination are both between the intersection of Palm Drive and Vista Chino, in the City of Palm Springs, on the one hand, and the Palm Springs Airport, on the other hand, both points inclusive, including intermediate points.
2. In the transportation of property no package or article exceeding seventy-five pounds in weight, nor any shipment from one consignor to one consignee in one day exceeding one hundred pounds in weight shall be transported, and all property shall be transported on passenger vehicles only.
3. Motor vehicles may be turned at termini or 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.
4. When route descriptions are given in one direction, they apply to operation in either direction, unless otherwise indicated.

Issued by California Public Utilities Commission.

Decision No. 76088, Application No. 51197.

Subject to the authority of this Commission to change or modify said passenger stage operations at any time, JOHN C. HASTIE doing business as 29 Palms Stages, shall conduct said operations over and along the following route:

From Palm Springs Airport, in the City of Palm Springs, via McCallum Way, Tahquitz Drive, Indian Avenue, Vista Chino, Palm Drive (Desert Hot Springs), Pierson Boulevard, State Route 62 through Morongo Valley, Yucca Valley and Joshua Tree to Adobe Road (Twentynine Palms), thence Adobe Road and Condor Road to entrance to Twentynine Palms Marine Corps Base in San Bernardino County.

Returning via reverse of going route to Palm Springs, thence via Vista Chino, Palm Canyon Drive, Amado Road, Indian Avenue, Alejo Road, Sunrise Way, Tahquitz Drive and McCallum Way to Palm Springs Airport.

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