

ORIGINAL

Decision No. 76533

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 Marin County Transit Systems, Inc. )  
 for a certificate of public conven- )  
 ience and necessity to operate a )  
 passenger stage corporation between )  
 the Tiburon Ferry Terminal, on the )  
 one hand, and points on the Tiburon )  
 Belvedere Peninsula and Mill Valley, )  
 on the other hand. )

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Application No. 51483  
(Filed November 14, 1969)

O P I N I O N

Marin County Transit Systems, Inc. requests a certificate of public convenience and necessity authorizing operations as a passenger stage corporation between the Tiburon Ferry Terminal, on the one hand, and points on the Tiburon Belvedere Peninsula and Mill Valley, on the other hand.

Applicant seeks to institute a feeder bus service to support the Golden Gate Bridge and Highway District's operation of the Tiburon-San Francisco Ferry, which commenced operations on November 10, 1969, on an experimental basis for a period of at least 90 days. The proposed bus service would be provided irrespective of whether the ferry is operated beyond the experimental period.

Service would be initiated with the use of three buses, one of standard size with a capacity of 48 passengers and two mini buses each with a capacity of 19 passengers. Operations would be conducted Monday through Friday with schedules designed to meet the Tiburon departure and arrival times of the ferry service, which applicant assumes will be 7 a.m., 8:30 a.m. and 10 a.m. for departures and 3:05 p.m., 4:35 p.m. and 8:05 p.m. for arrivals. The proposed fare is 25 cents.

Applicant proposes to operate over four routes. Route No. 1 would service Mill Valley, Tiburon and the Tiburon Ferry Terminal. Route No. 2 would provide service to the Strawberry Point area, the Cayford Avenue Apartment Complex and the Tiburon Ferry Terminal. Route No. 3 would service the Lyford Avenue Apartment Complex and the Belvedere area in a double loop service. Route No. 4 would be a circular mid-day shopper shuttle route, servicing the Strawberry and Tiburon shopping areas and the residential areas in between. It would also connect the Tiburon-Belvedere areas with Greyhound's Tiburon Wye bus stop.

It is alleged that there are approximately 8,000 commuters residing in the Tiburon-Belvedere-Mill Valley area and that approximately 1,800 commuters work in the San Francisco financial district and can be considered as potential users of the ferry service.

Copies of the application were served upon existing carriers with which the proposed service might compete. No protest has been received. The application is supported by the City of Tiburon and the Marin County Transit District.

After consideration the Commission finds that public convenience and necessity require the granting of the application. A public hearing is not necessary.

Marin County Transit Systems, Inc. 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. A certificate of public convenience and necessity is granted to Marin County Transit Systems, Inc., a 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 particularly set forth in Appendix A attached hereto and made a part hereof.

2. 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 it accepts the certificate of public convenience and necessity herein granted, it 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 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 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 its 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 its 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 five days after the date hereof.

Dated at San Francisco, California, this 9th day of DECEMBER, 1969.

[Signature]  
President

[Signature]

[Signature]

[Signature]  
Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY

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

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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.

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Issued under authority of Decision No. 76533, dated December 9, 1969, of the Public Utilities Commission of the State of California, on Application No. 51483.

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

Marin County Transit System, Inc., by the certificate of public convenience and necessity, granted by the decision noted in the margin, is authorized to transport passengers in passenger-carrying vehicles between the Tiburon Ferry Terminal, on the one hand, and points in the Tiburon-Belvedere Peninsula and Mill Valley, on the other hand, over routes hereinafter described, subject to the following provisions:

- (a) Passengers living in Tiburon, Belvedere and Mill Valley will be transported to and from the Tiburon Ferry Terminal during the morning and evening rush hours. (Routes 1, 2 and 3)
- (b) A mid-day shopper shuttle service will be initiated between points on the Tiburon-Belvedere Peninsula. (Route 4)
- (c) Service provided in urban communities to be in conformance with local applicable regulations in regard to the flow of traffic.

SECTION 2. ROUTE DESCRIPTION.

ROUTE 1. MILL VALLEY-TIBURON-TIBURON FERRY TERMINAL

Commencing at Elma and Throckmorton Avenues in Mill Valley along Throckmorton Avenue to Blithedale Avenue. Continue along Blithedale Avenue, East Blithedale

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Decision No. 76533, Application No. 51483.

Avenue and Tiburon Boulevard to Tiburon Ferry Terminal.  
Return is along same route.

ROUTE 2. STRAWBERRY POINT AREA-CAYFORD AVENUE APARTMENT  
COMPLEX-TIBURON FERRY TERMINAL

Commencing at Knoll Lane and Reed Boulevard in the Strawberry Point Area to Ricardo Road via Frontage Road along Ricardo Road to Tiburon Boulevard, along Tiburon Boulevard to Cayford Avenue (circle apartment complex) return to Tiburon Boulevard along Tiburon Boulevard to Tiburon Ferry Terminal. Return along same route.

ROUTE 3. LYFORD AVENUE APARTMENT COMPLEX AND BELVEDERE AREA

Commencing at Lyford Drive and Vistazo West in Tiburon to Marinero Circle, around Marinero Circle to Lyford Drive, along Lyford Drive to Tiburon Boulevard, along Tiburon Boulevard to Tiburon Ferry Terminal.

Return via Main and Beach Road to San Rafael Avenue and Laguna Maybridge Road to Lyford Drive and Vistazo West.

ROUTE 4. STRAWBERRY AND TIBURON MID-DAY SHOPPER SHUTTLE

Commencing at the Tiburon Ferry Terminal to Tiburon Boulevard via Main, Beach Road and San Rafael Way, then to Tiburon Boulevard and Cayford Circle, around Cayford Circle to Tiburon Wye via Tiburon Boulevard. Return to Tiburon Boulevard via Frontage Road and Ricardo Boulevard to Tiburon Road and Greenwood, along Greenwood to Tiburon Road to Tiburon Ferry Terminal.

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