

ORIGINAL

Decision No. 76713

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 COUNTY TRANSIT LINES, INC.,)
 a California corporation,)
 for temporary suspension of services.)

Application No. 51299
 (Filed August 6, 1969)

Walter H. Medak, for the applicant.
Robert Rosenberg and John A. Jerman,
 for Golden Rain Foundation of
 Rossmoor; and Mrs. Darlene Quintero,
 Human Resources Commission, for the
 Citizens of Martinez, protestants.
Mark L. Kermit, for the Board of
 Supervisors, Contra Costa County,
 intervenor.
William P. Sargent, Jr., for Contra
 Costa County Committee on Aging,
 interested party.
Hilton H. Nichols, for the Commission
 staff.

O P I N I O N

This application was filed on August 6, 1969 to advise that from the start of service on December 6, 1966 through July 31, 1969, the applicant corporation incurred a deficit of more than \$200,000, and to request that applicant be authorized to suspend service on three of its four routes for a period of twelve months. An Amendment To The Application was filed on September 5, 1969 to include applicant's fourth route from Rossmoor to downtown Walnut Creek and John Muir Hospital, in the twelve month suspension of service. Several letters of protest were received and public hearing was held on September 18, 1969 and November 7, 1969, before Examiner Fraser in Walnut Creek. Applicant requested a continuance at the first hearing

to provide time to negotiate with others to provide substitute service. The Golden Rain Foundation leased three of applicant's buses and started to provide service from Rossmoor to Walnut Creek for Rossmoor residents exclusively prior to the November hearing. This was applicant's only profitable route during its operation. No one was interested in providing service over the other routes. The discontinuance of service will most seriously inconvenience those who are too poor to afford other transportation. It is unfortunate, but the record indicates these people seldom use a bus more than once a week.

Applicant requested at the November hearing that its operating authorities be suspended for twelve months. Applicant may transfer its authority or take other action depending on the circumstances. The County representative argued that applicant was providing no service and its operating authority should therefore be revoked so the County can effectively negotiate with other bus operators. No one else objected to the grant of the suspension; however, the staff representative recommended that the operating authorities be revoked after twelve months unless they are transferred or reinstated during the period of suspension and that the suspended rights should not preclude the granting of rights to other qualified operators. These conditions were acceptable to applicant.

Findings and Conclusions

1. Applicant instituted a passenger bus service in Contra Costa County on December 6, 1966.
2. Applicant provided new equipment, frequent schedules, supervised service and wide county coverage but was able to attract only a few passengers.
3. The operation incurred a deficit of more than \$200,000 during the period from December 6, 1966 to July 31, 1969.

4. Applicant has discontinued all operations and has provided no service since September 5, 1969.

5. Applicant's operating authorities should be suspended for twelve months and if service is not reestablished or the authority transferred within that period the authority should be revoked.

6. Applicant's operating authority was granted to Eugene R. Boswell (dba County Transit Lines) by Decision No. 71673 dated December 6, 1966, in Application No. 48647; it was transferred to County Transit Lines, Inc., the present applicant, by Decision No. 72023, dated February 15, 1967, in Application No. 49081 and was amended by Decision No. 72905 dated August 15, 1967 in Application No. 49371.

Based on the findings herein, we conclude that the application should be granted.

O R D E R

IT IS ORDERED that:

1. The certificate of public convenience and necessity granted by Decision No. 71673, dated December 6, 1966, in Application No. 48647, as amended by Decision No. 72023, dated February 15, 1967, in Application No. 49081 and by Decision No. 72905, dated August 15, 1967, in Application No. 49371 is hereby suspended for a period of twelve months from the date of this order.

2. All tariffs issued by or on behalf of County Transit Lines, Inc. are hereby suspended pending further order. A copy of this order shall be filed with said tariffs and with the certificate identified as Appendix A to Decision No. 72023 in the office of the Commission.

3. One year from the effective date of this order the certificate described in paragraph 1 above shall be revoked and the tariffs described in paragraph 2 above shall be cancelled unless County Transit Lines, Inc. has reestablished service or requested authority to transfer the certificate.

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

Dated at San Francisco, California, this 27th day of JANUARY, 1970.

William J. ...
President

August ...
J. ...

...
Commissioners