

ORIGINAL

Decision No. 76817

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of ANAHEIM JITNEY SYSTEMS, a California corporation, for a certificate of public convenience and necessity to operate passenger stage service in the Anaheim area.

Application No. 51238

(Filed July 8, 1969)

James H. Lyons, for Anaheim Jitney Systems, applicant.

C. J. Holzer, for Southern California Rapid Transit District, protestant.

Charles C. Miller and C. J. Van Duker, for Valen Parking Management, Inc., interested party.

John L. Hughes, for The Gray Line Tours Company, interested party.

Lloyd C. Young, for the Transportation Division of the Commission's staff.

O P I N I O N

Applicant, Anaheim Jitney Systems, seeks authority to operate as a passenger stage corporation within and in the vicinity of the Cities of Anaheim and Buena Park.

During the past several years applicant has been operating a common carrier passenger stage service in and about the Cities of Anaheim and Buena Park which is virtually the same as that which it is here seeking to have authorized. Until recently more than 98 percent of said service, as measured by total route mileage, was

operated wholly within the City of Anaheim. Applicant, therefore, was not a "passenger stage corporation" as defined in Section 226 of the Public Utilities Code.<sup>1/</sup>

Recently, however, applicant abandoned one of its routes within the City of Anaheim. As a consequence, its present services come within the definition of those of a "passenger stage corporation". This application was filed in order that Anaheim Jitney Systems might comply with the certificating requirements of Section 1031 of the Public Utilities Code to which it is now subject.<sup>2/</sup> Applicant also seeks to extend its operations by the establishment of a route between the Movieland Wax Museum and the Japanese Deer Park in the City of Buena Park.

Public hearing on the application was held before Examiner Abernathy at Los Angeles on October 24, 1969. Evidence in applicant's behalf was presented by applicant's president, by representatives of two motels in the Anaheim area, by a ticket broker headquartered in the Disneyland Hotel and by the public

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<sup>1/</sup> "Passenger stage corporation" includes every corporation or person engaged as a common carrier, for compensation, in the ownership, control, operation or management of any passenger stage over any public highway in this State between fixed termini or over a regular route except those, 98 percent or more of whose operations as measured by total route mileage operated, are exclusively within the limits of a single city . . ."

Section 226, Public Utilities Code

<sup>2/</sup> "No passenger stage corporation shall operate or cause to be operated any passenger stage over any public highway in this State without first having obtained from the commission a certificate declaring that public convenience and necessity require such operation . . ."

Section 1031, Public Utilities Code

relations director for Knott's Berry Farm. The hearing was continued to December 16, 1969, in order that the record thereof might be consolidated with that of another and similar application (Application No. 50472, Valen Parking Management, Inc.) then scheduled. However, said other application has been withdrawn. The application of Anaheim Jitney Systems is hereby taken under submission and is ready for decision.

Applicant's president submitted evidence to the following effect:

- a. Applicant commenced operations in the Anaheim area in 1966;
- b. It is operating over six different routes at present;
- c. In the operation of said routes, applicant provides local service within the City of Anaheim; service between Anaheim and Knott's Berry Farm in Buena Park; service to and from the Greyhound Bus Terminal in Anaheim; Sunday service to and from various churches in the Anaheim area, and service according to convention needs between motels in the Anaheim area and the Anaheim Convention Center;
- d. Eight buses ranging from 11- to 24-passenger seating capacity are used in the operations; four of the buses are owned and four are leased;
- e. During the three years of operation, the patronage of applicant's services has increased materially;
- f. About 90 percent of applicant's revenues are now derived from its services over its route between Anaheim and Knott's Berry Farm;

- g. The proposed fares and schedules are those which are set forth in Appendix A attached hereto; with the exception of the fares and schedules for service between the Movieland Wax Museum and the Japanese Deer Park (for which authority is being herein sought) the proposed fares and schedules are the same as those being assessed or observed;
- h. Applicant's financial operating results for the nine months which ended with September 30, 1969, and its financial position as of that date were as shown in Tables Nos. 1 and 2 below:

Table No. 1

Anaheim Jitney Systems, Inc.

Financial Operating Results for Nine Months  
Through September 30, 1969

Income		\$72,198
Expenses		
Operating	\$40,524	
Administrative and Other	<u>14,709</u>	<u>55,233</u>
Net Operating Revenues (See Note)		\$16,965

Note: Does not reflect provision for income taxes because of applicability of loss carry-forward from earlier years.

Table No. 2

Anaheim Jitney Systems, Inc.  
Financial Position as of September 30, 1969

Assets

Cash		\$ 810
Accounts Receivable		3,122
Fixed Assets		
Buses and Equipment	\$36,880	
Office Furniture and Equipment	<u>2,190</u>	
	\$39,070	
Less Reserve for Depreciation	<u>10,510</u>	28,560
Deposits		620
Organization Expense		<u>600</u>
<b>Total Assets</b>		<b>\$33,712</b>

Liabilities

Accounts Payable		\$ 1,849
Payroll Taxes		2,218
Contracts Payable, Office Furniture		1,390
Contracts Payable, Buses		8,140
Notes Payable		<u>3,000</u>
<b>Total Liabilities</b>		<b>\$16,597</b>

Net Worth

Capital Stock			
Authorized	\$75,000		
Unissued	(10,000)		
Less Promotion Stock	(60,000)	\$ 5,000	
Surplus			
Beginning Jan. 1, 1969	\$(4,850)		
Profit (9 months, 1969)	<u>16,965</u>	<u>\$12,115</u>	<u>17,115</u>
<b>Total Liabilities and Net Worth</b>			<b>\$33,712</b>

The other witnesses who presented evidence in this matter testified substantially as follows:

- a. The people who come to the Anaheim/Buena Park area to visit Disneyland also visit or go to other points of interest in the area.
- b. Said other points include Knott's Berry Farm, the Movieland Wax Museum, the Japanese Deer Park, shopping centers and churches in Anaheim.
- c. Approximately 2,000,000 people visit Knott's Berry Farm annually.
- d. Most of the people who come to visit Disneyland, Knott's Berry Farm and the other points of interest have their own automobiles. However, many of these people, as well as those who do not have automobiles of their own, prefer or require public transportation for their trips in the Anaheim/Buena Park area.
- e. The Southern California Rapid Transit District provides infrequent bus service between Knott's Berry Farm, the Movieland Wax Museum and the Japanese Deer Park.
- f. Applicant's services meet needs for public transportation in the Anaheim/Buena Park area.

The Southern California Rapid Transit District was represented as protestant to the granting of this application. However, it did not present evidence in support of its position. Otherwise, the application was not opposed.

Upon consideration of the record in this matter, the Commission finds that:

- a. Applicant has been providing a common carrier passenger stage service within and in the vicinity of the Cities of Anaheim and Buena Park since the latter part of 1966;

- b. During this period of its operations, applicant has enjoyed an increasing patronage of its services; its fleet has been increased; and its operations have become profitable;
- c. Applicant's operations during the past three years show that said operations are meeting the needs of the public, and that public convenience and necessity require the continuance of applicant's services over the routes which are being operated;
- d. More frequent public transportation than that which is presently available between the Movieland Wax Museum and the Japanese Deer Park is needed to serve adequately the needs of the public who would visit said points;
- e. Public convenience and necessity also require the operation of applicant's proposed service between the Movieland Wax Museum and the Japanese Deer Park;
- f. Applicant's operations during the past three years show that applicant possesses the experience, equipment, personnel and financial resources to operate the proposed service.

The Commission concludes that the application should be granted.

Applicant 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 Anaheim Jitney Systems, a California 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 B attached hereto and made a part hereof.
2. In providing service pursuant to the certificate herein granted, applicant shall establish the fares and schedules as set forth in Appendix A attached hereto and made a part 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 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 ten days after the effective date of this order on not less than ten 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 twenty days after the date hereof.

Dated at San Francisco, California,  
this 20<sup>th</sup> day of FEBRUARY, 1970.

William Synovis, Jr.  
President

Vernon L. Sturgeon  
Commissioners

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

## Appendix A

ONE-WAY FARES

	One-Way Fares	
	Adult	Child
Route 1	.50	.25
Route 2(a)	.50	.25
Route 3	.75	.50
	.50(b)	.25(b)
Route 4	.30	.15
Route 5	.25	.15
Route 6	.30	.15
(a) To or from shopping center at Crescent Avenue and Euclid Street.	.25(c)	
(b) To Knott's Berry Farm:		
Passengers boarding east of Walnut Street.	.75	.50
Passengers boarding west of Walnut Street.	.50	.25
From Knott's Berry Farm:		
Passengers destined for points west of Walnut Street.	.50	.25
Passengers destined for points east of Walnut Street.	.75	.50
To Disneyland:		
Passengers boarding west of Stanton Avenue.	.75	.50
Passengers boarding east of Stanton Avenue.	.50	.25
From Disneyland:		
Passengers destined for points east of Stanton Avenue.	.50	.25
Passengers destined for points west of Stanton Avenue.	.75	.50
(c) Special rate for servicemen in uniform, originating at or destined to the Greyhound Terminal or the Servicemen's Center at Katella and Manchester.		

RULES AND REGULATIONS

1. Adult fare shall apply to all persons 12 years of age and older.
2. Child fare shall apply to persons between the ages of 5 and 11, inclusive.
3. Children under 5 years of age will be carried free.
4. Children under 5 years of age must be accompanied by an adult-fare-paying passenger.

Appendix A (Continued)

SCHEDULES

ROUTE 1: Every Sunday of the year.

April 1 to September 15:

Leaving Disneyland Hotel every one-half hour commencing 7:00 A.M. to and including 1:00 P.M.

September 16 to March 31:

Leaving Disneyland Hotel every one-half hour commencing 8:00 A.M. to and including 10:00 A.M.

ROUTE 2: Daily except Sundays and holidays:

Leaving Haster Street and Katella Avenue every hour commencing 8:25 A.M. to and including 5:25 P.M.  
Last bus leaves Broadway Shopping Center 6:00 P.M.

ROUTE 3: Daily except Christmas Day:

\*Summer Season: Leaving Disneyland Hotel every 20 minutes commencing 8:20 A.M. to and including 10:00 P.M.  
Last bus leaves Knott's Berry Farm 10:40 P.M.

\*\*Winter Season: Leaving Disneyland Hotel every hour commencing 9:00 A.M. to and including 8:00 P.M.  
Last bus leaves Knott's Berry Farm 8:40 P.M.

ROUTE 4: Daily except Christmas Day:

\*Summer Season: Leaving Movieland Wax Museum every 15 minutes commencing 10:00 A.M. to and including 10:00 P.M. Last bus leaves Japanese Deer Park 10:10 P.M.

\*\*Winter Season: Leaving Movieland Wax Museum every 15 minutes commencing 11:00 A.M. to and including 7:00 P.M.  
Last bus leaves Japanese Deer Park 7:10 P.M.

ROUTE 5: Daily during events at Convention Center:

Schedules will be coordinated with events at Convention Center, leaving Disneyland Hotel every 15 minutes commencing one-half hour before opening of event and continuing to one-half hour after the closing of event.

ROUTE 6: Daily:

Leaving Greyhound Bus Terminal in Anaheim in coordination with Greyhound buses arriving at said terminal from approximately 9:25 A.M. to 8:30 P.M.

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\*Summer Season: April 1 through Labor Day.

\*\*Winter Season: Day after Labor Day through March 31.

(End)

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 or added original pages.

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Issued under authority of Decision No. 76817, dated  
FEB 20 1970 of the Public Utilities Commission  
of the State of California in Application No. 51238.

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

Anaheim Jitney Systems, by the decision noted in the margin, is authorized to transport passengers within or in the vicinity of the City of Anaheim over and along the routes hereinafter described, subject to the conditions and restrictions hereinafter set forth:

- (a) Motor vehicles may be turned at termini and 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.
- (b) When route descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.

Issued by California Public Utilities Commission.

Decision No. 76817, Application No. 51238.

## SECTION 2. ROUTE DESCRIPTIONS

Subject to the authority of this Commission to change or modify such at any time, Anaheim Jitney Systems shall conduct passenger stage operations over and along the following described streets and highways:

Route No. 1 - Church Route

Along Katella Avenue in the City of Anaheim between Haster Street and Casa Vista Street; on Harbor Boulevard between Ball Road and a point one-quarter mile south of Katella Avenue; on Freedman Way between Harbor Boulevard and Hotel Way; on West Street between Katella Avenue and Ball Road; and on Ball Road between Harbor Boulevard and Empire Street.

Route No. 2 - Town Route

Beginning at Haster Street and Katella Avenue, City of Anaheim, thence via Haster Street, Wilken Way, Harbor Boulevard, Katella Avenue, West Street, Cerritos Avenue, Walnut Street, Ball Road, Brookhurst Street, Lincoln Avenue, Euclid Street, La Palma Avenue, Dresden Street, Catalpa Drive, Loara Street, North Street, West Street, Lincoln Boulevard, Atchison Street, Broadway, Anaheim Boulevard, and Haster Street to Katella Avenue, the point of beginning.

Route No. 3 - Knott's Berry Farm

On Katella Avenue, City of Anaheim, between Haster Street and Casa Vista Street; on Harbor Boulevard between Ball Road and a point one-quarter mile south of Katella Avenue; on Freedman Way between Harbor Boulevard and Hotel Way; and on West Street between Katella Avenue and Ball Road.

Issued by California Public Utilities Commission.

Decision No. 76817, Application No. 51238.

## SECTION 2. ROUTE DESCRIPTIONS (Continued)

Route No. 3 - Knott's Berry Farm (Continued)

Also, from the intersection of Ball Road and Harbor Boulevard, City of Anaheim, thence Ball Road, Dale Street, La Palma Avenue and Beach Boulevard (State Route 39) to Movieland Wax Museum, City of Buena Park.

Also, from the intersection of La Palma Avenue and Beach Boulevard (State Route 39), City of Buena Park, thence Beach Boulevard, Grand Avenue and Crescent Avenue to Dale Street.

Route No. 4 - Movieland Wax Museum

Beginning at the Movieland Wax Museum on Beach Boulevard (State Route 39), City of Buena Park, thence Beach Boulevard, La Palma Avenue and Knott Avenue to Japanese Deer Park, City of Buena Park; returning via Knott Avenue, Orangethorpe Avenue and Beach Boulevard to the Movieland Wax Museum, City of Buena Park, the point of beginning.

Route No. 5 - Motel-Convention Route

On Katella Avenue, City of Anaheim, between Haster Street and West Street; on Harbor Boulevard between Freedman Way and Convention Way; on West Street between Cerritos Avenue and Convention Way; on Freedman Way between Hotel Way and Harbor Boulevard, and on Convention Way between Harbor Boulevard and West Street.

Route No. 6 - Greyhound Bus Terminal Route

Beginning at Greyhound Bus Terminal, 1711 South Manchester Avenue, City of Anaheim, thence via Haster Street, Katella Avenue and West Street to Cerritos Avenue.

Issued by California Public Utilities Commission.

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