

ORIGINAL

Decision No. 76988

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
 of CHARLES J. BLACK and SUE A.
 BLACK, husband and wife, dba
 GOLDEN WEST TRANSIT LINES, to
 sell, and COMMUNITY ENTERPRISES,
 INC., a California corporation,
 for authority to purchase, a
 certificate of public convenience
 and necessity and assets of
 Charles J. Black and Sue A. Black.

Application No. 51695
 (Filed February 4, 1970)

O P I N I O N

Charles J. Black and Sue A. Black, husband and wife, doing business as Golden West Transit Lines, request authority to sell and transfer, and Community Enterprises, Inc. requests authority to purchase and acquire, a certificate of public convenience and necessity authorizing operations as a passenger stage corporation, and two passenger buses.

The certificate was granted by Decision No. 71636 dated November 29, 1966, in Application No. 48770, as amended by Decision No. 73300 dated November 7, 1967, in Application No. 49650, and authorizes the transportation of passengers between Santa Ana, on the one hand, and El Toro Marine Base, on the other hand. The buses consist of one 31-passenger 1947 GM Coach and one 36-passenger 1948 GM Coach. The agreed consideration is \$14,500 to be paid in monthly installments of \$400 without interest.

Applicant purchaser is presently engaged as a passenger stage corporation between San Clemente, Camp Pendleton, Disneyland and Anaheim, and as of September 30, 1969, indicated a net worth in the amount of \$124,893.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest and that the property to be procured or paid for by the issue of the indebtedness herein authorized is reasonably required for the purposes specified herein, and such purposes are not, in whole or in part, reasonably chargeable to operating expenses or to income. A public hearing is not necessary.

The authorization herein granted shall not be construed as a finding of the value of the rights and properties herein authorized to be transferred.

O R D E R

IT IS ORDERED that:

1. On or before September 1, 1970, Charles J. Black and Sue A. Black may sell and transfer, and Community Enterprises, Inc. may purchase and acquire, the operative rights and property referred to in the application.
2. Within thirty days after the consummation of the transfer herein authorized, purchaser shall notify the Commission, in writing, of that fact and within said period shall file with the Commission a true copy of any bill of sale or other instrument of transfer which may be executed to effect said transfer.
3. Purchaser shall amend or reissue the tariffs and timetables on file with the Commission, naming rates and rules governing the common carrier operations herein to show that it has adopted or established, as its own, said rates and rules. 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 consummation of the transfer herein authorized. The tariff and timetable filings made pursuant to this order shall comply in all respects 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. Failure to comply with and observe the provisions of General Orders Nos. 79 and 98-A may result in a cancellation of the operating authority granted by this decision.

4. On or before the end of the third month after the consummation of the transfer as herein authorized, purchaser shall cause to be filed with the Commission, in such form as the Commission may prescribe, an annual report, or reports, related to the operations of the sellers for the period commencing with the first day of the current year to and including the effective date of the transfer.

5. In the event the transfer authorized in paragraph 1 hereof is consummated, a new certificate of public convenience and necessity is granted to Community Enterprises, 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.

6. The certificate of public convenience and necessity granted in paragraph 5 of this order shall supersede the certificates of public convenience and necessity granted by Decision No. 71636 as amended by Decision No. 73300 and Decision No. 74436, which certificates are revoked effective concurrently with the effective date of the tariff filings required by paragraph 3 hereof.

7. Within thirty days after the effective date hereof, Community Enterprises, Inc. shall file a written acceptance of the certificate herein granted and is placed on notice that, if it accepts the certificate 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.

8. Community Enterprises, Inc. 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.

9. Community Enterprises, Inc. is authorized to execute a promissory note in the amount of \$14,500.

The authority herein granted to issue a note will become effective when applicant has paid the fee prescribed by Section 1904(b) of the Public Utilities Code, which fee is \$50.

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In other respects, the effective date of this order shall be twenty days after the date hercof.

Dated at San Francisco, California, this 24th
day of MARCH, 1970.

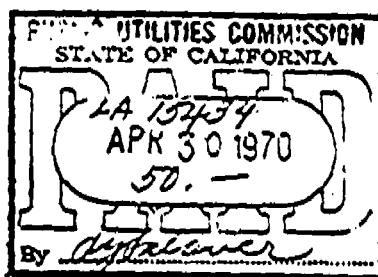
William S. G. J.
President

J. B. L. J.

T. A. J.

Vernon L. J.
Commissioners

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



Appendix A

COMMUNITY ENTERPRISES, INC.
(a corporation)

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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.

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Issued under authority of Decision No. _____,
dated MARCH 24, 1970, of the Public Utilities
Commission of the State of California, in Application No. 51695.

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS
AND SPECIFICATIONS

Community Enterprises, Inc., a corporation, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers:

1. Between the City of San Clemente, on the one hand, and Camps San Onofre, Horno, San Mateo, Talega and Christianitos, on the other hand, over and along the routes hereinafter described, subject to the following conditions:

All passengers originating at or destined to the City of San Clemente shall originate at or be destined to Camp San Onofre, Camp Horno, Camp San Mateo, Camp Talega or Camp Christianitos.

2. Between Disneyland, City of Anaheim, on the one hand, and Camp San Onofre, Horno, San Mateo, Talega and Christianitos, on the other hand, over and along the route hereinafter described, subject to the following condition:

All passengers originating at or destined to Disneyland, City of Anaheim, shall be destined to or originate at Camp San Onofre, Camp Horno, Camp San Mateo, Camp Talega or Camp Christianitos. Such service shall be operated on an "on-call" basis, subject to a minimum of 12 passengers.

3. Between the City of Santa Ana, on the one hand, and the U.S. Marine Base near El Toro, on the other hand, and intermediate points.

Issued by California Public Utilities Commission.

Decision No. 76988, Application No. 51695.

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS
AND SPECIFICATIONS (Continued)

4. Operations shall be conducted over and along the routes hereinafter described, subject to the following conditions:
- (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 operation in either direction unless otherwise indicated.

SECTION 2. ROUTE DESCRIPTIONS

Route No. 1. Camp San Onofre - Camp Horno

Commencing at applicant's terminal in San Clemente; thence via El Camino Real (U.S. Highway 101), Santa Ana Freeway, Basilone Road, to the Camp San Onofre gate. Return via the reverse of the going route.

Route No. 2. Camp San Mateo - Camp Christianitos - Camp Talega

Commencing at applicant's terminal in San Clemente; thence via El Camino Real (U.S. Highway 101) to the Camp San Mateo gate. Return via the reverse of the going route.

Route No. 3. Camps San Onofre, Horno, San Mateo, Talega, or Christianitos - Disneyland, City of Anaheim

Commencing at gates to Camps San Onofre, Horno, San Mateo, Talega or Christianitos; thence via Interstate Highway 5 (San Diego Freeway and Santa Ana Freeway), Katella Avenue, Anaheim, and West Street to Disneyland. Return via reverse of going route.

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SECTION 2. ROUTE DESCRIPTIONS (Continued)

Route No. 4. Santa Ana - Tustin - El Toro

Commencing at 220 E. Third Street (Depot); thence along Spurgeon Street, First Street, "D" Street, Laguna Canyon Road, Red Hill Avenue, Irvine Boulevard, Trabuco Road to its intersection with Wake Avenue.

Also:

- (a) From the intersection of Irvine Boulevard and Sand Canyon Road; thence along Sand Canyon Road, Trabuco Road to El Toro Marine Air Station Main Gate No. 1.
- (b) Along Santa Ana Freeway between First Street and Red Hill Avenue.
- (c) Along Red Hill Avenue between the Santa Ana Freeway and Valencia Avenue.

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