

ORIGINAL

Decision No. 77488

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SOUTHSHORE LINES, INC., a corporation, to transfer its authority as a Passenger Stage Corporation to PENINSULA TRANSIT LINES, INC., a corporation.

Application No. 51925
(Filed May 27, 1970)

O P I N I O N

Southshore Lines, Inc. requests authority to transfer, and Peninsula Transit Lines, Inc. requests authority to acquire, a certificate of public convenience and necessity authorizing operations as a passenger stage corporation.

The certificate was granted by Decision No. 65054 in Application No. 45137 and authorizes the transportation of passengers between San Francisco, on the one hand, and Redwood City, Menlo Park and Palo Alto, on the other hand. The service is essentially a commuter operation designed to transport employees between their places of residence in San Francisco and their places of employment in Redwood City, Menlo Park and Palo Alto. The transfer involves no consideration.

It is alleged that the transferor desires to discontinue the certificated service in order that it might concentrate on charter operations and that transferee is presently conducting a certificated service between certain peninsula points and possesses the necessary facilities, experience and ability to continue the service herein considered.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest. A public hearing is not necessary. The order which follows will provide for, in the event the transfer is consummated, the revocation of the certificates presently held by Southshore Lines, Inc. and Peninsula Transit Lines, Inc. and the issuance of a certificate in appendix form to Peninsula Transit Lines, Inc.

Peninsula Transit Lines, 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. On or before December 1, 1970, Southshore Lines, Inc. may sell and transfer, and Peninsula Transit Lines, Inc. may purchase and acquire, the operative rights referred to in the application.
2. Within thirty days after the consummation of the transfer herein authorized, transferee 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. Transferee 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, transferee 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 transferor 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 certificate of public convenience and necessity is granted to Peninsula Transit Lines, 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 Decisions Nos. 65054 and 76773 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 transfer herein authorized is consummated, transferee shall file a written acceptance of the certificate herein granted. Transferee 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.

8. Transferee 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 the date hereof.

Dated at San Francisco, California, this 14th day of JULY, 1970.

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

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

Chairman

William J. ...

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Commissioners

Section 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS AND SPECIFICATIONS:

Peninsula Transit Lines, Inc., by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers by motor vehicles: (1) between and within the Cities of Palo Alto and Menlo Park and surrounding area over the routes hereinafter described, and (2) between San Francisco, on the one hand, and Redwood City, Menlo Park and Palo Alto, on the other hand, over and along the routes hereinafter described, subject to the following provisions and restrictions.

- a. The service authorized between San Francisco, on the one hand, and Redwood City, Menlo Park and Palo Alto, on the other hand, shall be "on-call" limited to instances where carrier is guaranteed the daily rate specified in its tariff.
- b. No more than one schedule nor more than one stage shall be operated in each direction in any one day between San Francisco, on the one hand, and Palo Alto and Redwood City, on the other hand.
- c. No service shall be rendered locally between, to or from intermediate points located between San Francisco, on the one hand, and Palo Alto and Redwood City, on the other hand.

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Decision No. 77488. Application No. 51925.

Section 2. ROUTE DESCRIPTIONS:

ROUTE NO. 1: Beginning at the Palo Alto Southern Pacific Depot and thence along University Avenue, Waverly Street, Oregon Avenue, Page Mill Road, Birch Street, California Avenue, Hanover Street, Hillview Street, and Junipero Serra Boulevard to the Palo Alto Veterans Hospital, then return via Junipero Serra Boulevard, Page Mill Road, Hanover Street, Stanford Avenue, Yale Street, California Avenue, Park Boulevard, Oregon Avenue, Waverly Street and University Avenue to the Palo Alto Southern Pacific Depot.

ROUTE NO. 2: Beginning at the Palo Alto Southern Pacific Depot and thence along El Camino Real, Stanford Shopping Center, Quarry Road, Welch Road, and Pasteur Drive to the Palo Alto-Stanford Hospital, thence via Pasteur Drive, Campus Drive, and Serra Street to Lausen Street, and returning via the same route to point of beginning.

ROUTE NO. 3: Beginning at the Palo Alto Southern Pacific Depot and thence along University Avenue, Middlefield Road, Melville Avenue, Channing Avenue, Lincoln Avenue, University Avenue, Bayshore Boulevard, Menalto Avenue, Mello Street, Newbridge Street, Willow Road, Ivy Drive, Hollyburne Avenue, Newbridge Street, Mello Street, Bay Road, Clarke Avenue, Beach Street, Pulgas Avenue, Bayshore Boulevard, Clarke Avenue, Donohoe Street, University Avenue, Lincoln Avenue, Channing Avenue, Melville Avenue, Middlefield Road, University Avenue to the Palo Alto Southern Pacific Depot.

ROUTE NO. 4: Beginning at the Palo Alto Southern Pacific Depot and thence along University Avenue, Chaucer Street, Pope Street, Central Avenue, Gilbert Avenue, Willow Road, Bay Road, Ringwood Road, Middlefield Road, and University Avenue to the Palo Alto Southern Pacific Depot. Also an alternate route beginning at the Palo Alto Southern Pacific Depot and thence along University Avenue, Chaucer Street, Pope Street, Central Avenue, Gilbert Avenue and Willow Road to the Menlo Park Veterans Hospital and then return from the Menlo Park Veterans Hospital along Willow Road, Middlefield Road and University Avenue to the Palo Alto Southern Pacific Depot.

ROUTE NO. 6: Beginning at the Palo Alto Southern Pacific Depot and thence along University Avenue, Waverley Street, Embarcadero Road, Newell Road, Channing Avenue, Greer Road, Embarcadero Road, Louis Road, East Charleston Road, Fabian Way, San Antonio Road, MacKay Drive, Shasta Drive, Nelson Drive, East Charleston Road, Middlefield Road, East Meadow Drive, Waverley Street, Marion Avenue, Cowper Street, Colorado Avenue, Louis Road, Embarcadero Road, Greer Road, Channing Avenue, Newell Road, Embarcadero Road, Waverley Street and University Avenue, to the Palo Alto Southern Pacific Depot.

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Decision No. 77488, Application No. 51925.

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Appendix A

PENINSULA TRANSIT LINES, INC.

Original Page 3

PENINSULA COMMUTE ROUTE

From the intersection of Van Ness Avenue and Chestnut Street in San Francisco, along Van Ness Avenue, Sacramento Street, Gough Street, Central Freeway (U.S. Highway 101), Municipal Freeway, Bayshore Freeway in San Mateo County to Harbor Boulevard cutoff in Redwood City, thence along Broadway Street, Charter Street, Bay Road, Scott Drive, Frontage Road, Middlefield Road, Ravenswood Avenue, and El Camino Real to the Stanford Medical Center, thence along Willow Road to its intersection with Governor Road.

Return same route except in San Francisco substitute Franklin and O'Farrell Streets for Gough and Sacramento Streets, respectively, due to the one-way street pattern.

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