

ORIGINAL

Decision No. 78925

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
 of Berkeley Charter Lines, Inc.
 for an extension of its certificate
 of public convenience and necessity
 to operate a passenger stage
 corporation between Tiburon,
 Sausalito, on the one hand, and
 points in West Marin County, on the
 other hand.

Application No. 52553
 (Filed April 14, 1971)

INTERIM OPINION

Applicant presently renders a passenger stage service in Marin County. It also conducts operations as a charter-party carrier pursuant to a Class A Certificate.

By this application, applicant requests an extension of its passenger stage certificate to include two new routes, designated Routes 9 and 10, to be operated on a mid-day seasonal basis. Route 9 would provide a shuttle service between Tiburon, Muir Beach and Stinson Beach via Shoreline Highway. Route 10 would connect Sausalito, Muir Beach and Stinson Beach via Shoreline Highway. Service would be provided on a daily basis from Memorial Day, May 31, to October 1, and weekend service would be provided from May 1 to November 1. The fares for the proposed service would be \$1.25 one way and \$2.50 round trip for adults and \$1.00 one way and \$2.00 round trip for children under 12.

The application asserts as follows: Applicant will operate three buses on the sought routes; applicant has adequate insurance as required by General Order No. 101-C and has been and will continue to comply with all applicable safety regulations; applicant

has sufficient funds to operate the proposed service; no other passenger stage corporation performs the identical type of service suggested by applicant within the area in question; public convenience and necessity require the proposed extension of applicant's service.

Applicant requests that the sought authority be granted as soon as possible to help alleviate auto traffic congestion in Tiburon and Sausalito and to provide public transportation between West Marin and Sausalito to those people without other means of transportation.

Both the Golden Gate Bridge, Highway and Transportation District and the Marin County Transit District requested that action be withheld on the application until they could fully study and analyze the matter. The Marin County Transit District informed the Commission on July 6, 1971 that it would not object to the granting of the sought authority if it were limited to the 1971 season only but that it protests the granting thereof for any additional period of time. In this connection, it pointed out that the Golden Gate Bridge District has approved the purchase of 152 buses for the purpose of implementing a county-wide transit system on or about December 1, 1971. No other protests have been received.

Based on a review of the matter, we are of the opinion that the application should be granted on an interim basis for the 1971 season and that the matter should be set for public hearing for the receipt of evidence on the issue of whether the temporary authority should be extended.

The Commission finds that:

1. Applicant possesses the experience, equipment, personnel and financial resources to institute and maintain the proposed service for the 1971 season.
2. Public convenience and necessity require that applicant be authorized to provide the proposed service for the 1971 season.

3. In the event applicant so requests, public hearing should be scheduled for the purpose of receiving evidence on the issue of whether the temporary authority should be extended.

The Commission concludes that the application should be granted on an interim basis as set forth in the ensuing order.

INTERIM ORDER

IT IS ORDERED that:

1. Berkeley Charter Lines, Inc., is hereby granted a temporary certificate of public convenience and necessity to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the following points and over the following routes for the portions of the year 1971 noted in ordering paragraph 2:

ROUTE 9 TIBURON-STINSON BEACH

Commencing at the Tiburon Ferry Building via Tiburon Boulevard, U.S. Highway 101, State Highway 1, Panoramic Highway along Muir Woods Road to State Highway 1 (Shoreline Highway) to Stinson Beach. Return to Tiburon via Panoramic Highway, State Highway 1, U.S. Highway 101 and Tiburon Boulevard.

ROUTE 10 SAUSALITO-STINSON BEACH

Commencing at the Sausalito bus kiosk at Bridgeway Boulevard and Anchor Street via Bridgeway, U.S. Highway 101, State Highway 1, Panoramic Highway along Muir Woods Road to State Highway 1 (Shoreline Highway) to Stinson Beach. Return to Sausalito via Panoramic Highway, State Highway 1, U.S. Highway 101, and Bridgeway Boulevard.

2. Berkeley Charter Lines, Inc., is authorized to perform service over Routes 9 and 10 described in ordering paragraph 1 daily to and including October 1, 1971 and on weekends to and including November 1, 1971.

3. Berkeley Charter Lines, Inc., is authorized to establish the fares proposed in the instant application for the service authorized herein.

4. In providing service pursuant to the temporary 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 establish the service herein authorized and file tariffs and timetables, in triplicate, in the Commission's office.
- (b) 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.
- (c) 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.

5. The temporary certificate granted herein shall expire on the dates set forth in ordering paragraph 2.

6. In the event applicant informs the Commission in writing within ninety days after the effective date of this order that it desires an extension of the temporary authority granted herein, a public hearing shall be scheduled in this proceeding for the purpose of determining whether such request is justified.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 15th
day of JULY, 1971.

Chairman

William S. Grogan, Jr.

Vernon L. Sturgeon

Commissioners

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

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