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ORIGINAL

Decision No. 81892

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of MARK IV CHARTER LINES,
INC. for authority to provide passenger
stage service between points in southern
California and Mammoth Mountain.

Application No. 53933
(Filed March 29, 1973)

O P I N I O N

Applicant operates as a Class A certificated charter-party carrier of passengers, under authority of Commission Resolution No. 16224, with an effective date of January 16, 1968 and holds a certificate of public convenience and necessity granted by Decision No. 80503 dated September 19, 1972 in Application No. 53456. It has applied for authority to provide a passenger stage service from Torrance, West Los Angeles, Sherman Oaks, Northridge, Montclair, West Covina, Rosemead, North Hollywood, Newport Beach, Costa Mesa, Long Beach, and Cerritos, all in the Los Angeles area, to the Mammoth Mountain ski area. Service will only be provided on weekends, with buses leaving the Los Angeles area at about 7:30 p.m. on Friday and Mammoth Mountain at 3:00 p.m. on Sunday. Round-trip fares are either \$19 or \$20. Service will be provided with air-conditioned 39- to 49-passenger intercity type buses. All buses have reclining seats, heaters, and luggage space. A balance sheet shows total assets of \$389,000 on February 28, 1973; current liabilities of \$111,000 and the previous years total income of \$402,000.

It is alleged that the proposed service will not interfere with any other passenger stage operator. The protest originally filed by Greyhound Lines, West, has been withdrawn.

Findings

1. The passenger stage service proposed herein is not available at the present time.

2. The proposed service is designed to satisfy the requirements of the Los Angeles residents who live on Mammoth Mountain during the weekends.

3. Applicant possesses the ability, experience, equipment, and financial resources needed to perform the aforesaid service.

4. Public convenience and necessity require that the service proposed by applicant be established.

5. It is reasonably certain that the project involved in this proceeding will not have a significant effect on the environment.

6. A public hearing is not necessary.

The Commission concludes that the application should be granted.

Applicant is 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. 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. Appendix A of Decision No. 80503 in Application No. 53456 is amended by incorporating therein attached First Revised Page 2 as replacement for Original Page 2; First Revised Page 3 as a replacement for Original Page 3; and Original Page 5, and Original Page 6.

2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure so to do may result in a cancellation of the authority.

- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. Applicant is placed on notice that if it accepts the certificate it will be required, among other things, to comply with the safety rules of the California Highway Patrol, the rules and other regulations of the Commission's General Order No. 98-Series and the insurance requirements of the Commission's General Order No. 101-Series.
- (b) Within one hundred twenty days after the effective date of this order, applicant shall establish the authorized service 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 authorized service.
- (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-Series and 98-Series.
- (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 14th day of SEPTEMBER, 1973.

Vernon L. Stenger
President
William J. Quinn
Michael J. Moran
Thomas Moran
Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.

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Appendix A
(D.80503)

MARK IV CHARTER LINES, INC.

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Cancels
Original Page 2

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* Added by California Public Utilities Commission.

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Appendix A
(D.80503)

MARK IV CHARTER LINES, INC.

First Revised Page 3
Cancels
Original Page 3

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

The certificate hereinafter noted supersedes all operative authority heretofore granted to Mark IV Charter Lines, Inc., or its predecessors.

Mark IV Charter Lines, Inc., by the certificate of public convenience and necessity, is authorized to transport passengers between points in southern California, on the one hand, and McDonnell-Douglas Huntington Beach Plant and certain territories intermediate and adjacent thereto, and the *Mammoth Mountain Ski Area, on the other hand, over and along the routes hereinafter described, subject, however, to the authority of this Commission to change or modify said routes at any time and subject to the following provisions:

- (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.
- (c) All transportation of passengers over Routes 1, 2, or 3 shall involve a point on the route hereinafter described and the McDonnell-Douglas Plant in Huntington Beach.
- *(d) All transportation of passengers over Routes 4, 5, or 6 shall involve a point on the route hereinafter described and the Mammoth Mountain Ski Area.

*Added by California Public Utilities Commission.

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SECTION 2. ROUTE DESCRIPTIONS (Continued)

ROUTE 4 - Torrance

Beginning at Del Amo Shopping Center located near the intersection of Sepulveda Boulevard and Hawthorne Boulevard in the city of Torrance; thence along the San Diego Freeway (I-405) and the Santa Monica Freeway (I-10) to Bundy Avenue; thence along Bundy Avenue and Olympic Boulevard to the Westridge Ski Shop; thence along the San Diego Freeway (I-405) to Sepulveda Boulevard; thence along Sepulveda Boulevard, Ventura Boulevard to the Union Bank Building in Sherman Oaks; thence along the Ventura Freeway (State Route 101), Tampa Avenue; and Nordhoff Street to the Northridge Fashion Center; thence along Devonshire Street; San Diego Freeway (I-405); Golden State Freeway (I-5); Antelope Valley Freeway (State Route 14); U.S. Highway 395; Mammoth Lakes Road (State Route 203) to Mammoth Mountain Ski Resort, returning by the reverse of the above route.

ROUTE 5 - Montclair

Beginning at the Montclair Plaza located near the intersection of Moreno Street and Monte Vista Avenue in the city of Montclair; thence along Monte Vista Avenue; San Bernardino Freeway (I-10); Citrus Avenue to Workman Avenue and the Eastland Shopping Center; thence along Citrus Avenue; San Bernardino Freeway (I-10); Rosemead Boulevard to Ramona Boulevard and Van De Kamps Restaurant in the city of Rosemead; thence along Rosemead Boulevard; San Bernardino Freeway (I-10); Hollywood Freeway (State Route 101); Victory Boulevard; Bellingham Avenue; Hamlin Street to Laurel Canyon Boulevard and the Valley Shopping Center in North Hollywood; thence along Victory Boulevard to the Hollywood Freeway (State Route 101); Golden State Freeway (I-5); Antelope Valley Freeway (State Route 14); U.S. Highway 395; Mammoth Lakes Road (State Route 203) to Mammoth Mountain Ski Resort, returning by the reverse of the above route.

Issued by California Public Utilities Commission.

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SECTION 2. ROUTE DESCRIPTIONS (Continued)

ROUTE 6 - Newport Beach

Beginning at the Fashion Island Shopping Center located near the intersection of MacArthur Boulevard and Pacific Coast Highway in the city of Newport Beach; thence along Pacific Coast Highway; MacArthur Boulevard; San Diego Freeway (I-405); Bristol Street to the South Coast Mall in the city of Costa Mesa; thence along Bristol Street; San Diego Freeway (I-405); Bellflower Boulevard to 23rd Street and the Los Altos Center in the city of Long Beach; thence along Bellflower Boulevard; San Diego Freeway (I-405); San Gabriel River Freeway (I-605); South Street; Gridley Road to the Cerritos Mall in the city of Cerritos; thence along South Street; San Gabriel River Freeway (I-405); Santa Ana Freeway (I-5); Antelope Valley Freeway (State Route 14); U.S. Highway 99; Mammoth Lakes Road (State Route 203) to Mammoth Mountain Ski Resort, returning by the reverse of the above route.

Issued by California Public Utilities Commission.

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