

ORIGINALDecision No. 83381

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
 Loren B. Joplin, doing business in the
 name and style of SUBURBAN COMMUTER
 SERVICE, for a Certificate of Public
 Convenience and Necessity to operate
 a passenger stage service between
 SIMI VALLEY and DEL MAR RACE TRACK.

Application No. 54849
 (Filed May 3, 1974)

O P I N I O N

Applicant Loren B. Joplin, doing business as Suburban Commuter Service, requests a certificate to operate as a passenger stage corporation between the city of Simi Valley and the Del Mar Race Track, city of Del Mar, on Saturdays, Sundays, and Labor Day during the racing season at Del Mar. The application was noticed in the Commission's Daily Calendar of May 6, 1974. No protests to the application were received.

Applicant presently conducts a passenger stage service between Simi Valley, on the one hand, and Los Angeles and Zuma Beach, on the other hand, under a certificate issued to him in Decision No. 83271. The applicant owns five buses, and has equipment available for use in the proposed service. The buses are all air-conditioned and can transport between 39 and 45 passengers depending on the particular bus. Applicant proposes to schedule his buses to leave Simi Valley at 9:50 a.m. and arrive at the race track at 1:00 p.m. and depart the race track 30 minutes after the last race, approximately 7:30 p.m., and arrive at Simi Valley approximately 10:15 p.m. A round-trip fare of \$11.50 will be charge (\$6.00 for children under 18 years old). Applicant shows that he had an operating net worth of \$51,671 as of March 31, 1974.

Applicant represents that to his knowledge there is no passenger stage service between the Del Mar Race Track and the

city of Simi Valley, population 68,000; that his proposed service would encourage the use of public transit; that he has discussed the proposed service with residents of Simi Valley, studied the feasibility of the service, and is convinced that the service would be self-supporting; that he has been requested to institute the service by residents of Simi Valley; that he will put on additional buses if the traffic demands it. Applicant presented a letter from the director of administration of the Del Mar Thoroughbred Club which states that the club wants to go on record in support of the application.

After consideration the Commission finds that public convenience and necessity require the granting of the application, and that an in-lieu certificate should be issued to applicant. The Commission further finds with reasonable certainty that the project involved in this proceeding will not have a significant effect on the environment. A public hearing is not necessary.

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. A certificate of public convenience and necessity is granted to Loren B. Joplin, doing business as Suburban Commuter Service, authorizing him to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the routes set forth in Appendix A, attached hereto and made a part hereof. The authority granted by Decision No. 83271 dated August 6, 1974, in Application No. 54583, is revoked concurrently with the effective date of the tariffs filed pursuant to the order herein.

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 he accepts the certificate he 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 his 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 his operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 4th
day of SEPTEMBER, 1974.

Vernon L. Stenger
President
William J. ...
...
...
...
Commissioners

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.

This certificate supersedes the Certificate of Public Convenience and
Necessity granted to Loren B. Joplin, dba Suburban Commuter Service,
by Decision No. 83271 in Application No. 54583.

Issued under authority of Decision No. 83381 dated Sept. 4,
1974, of the Public Utilities Commission of the State of California,
in Application No. 54849.

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Issued by California Public Utilities Commission.

Decision No. 83381, Application No. 54849.

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

Loren B. Joplin, as a sole proprietor, is authorized to operate passenger stage service for the transportation of passengers between the City of Simi Valley, on the one hand, and the City of Los Angeles, Zuma Beach, and the Del Mar Race Track, on the other hand, and certain territories intermediate and adjacent thereto, over and along the routes hereinafter described, subject, however, to the authority of this Commission to change or modify said routes as any time and subject to the following provisions:

- a. No passengers will be transported on Routes 1 and 2 with both origin and destination between the intersection of Santa Susana Road and Chatsworth Street, on the one hand, and Seventh and Los Angeles Streets, on the other hand.
- b. Passengers shall be picked up and discharged only at points and places to be named in applicant's tariffs and timetables, and situated along the route herein described.
- c. Motor vehicles may be turned at termini or at intermediate points, in either direction, and are to be operated in accordance with governing traffic regulations.
- d. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.

Issued by California Public Utilities Commission.

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SECTION 2. ROUTE DESCRIPTION.

Route 1: Simi Valley/Central Los Angeles Route

Commencing at the intersection of Madera Road and Aristotle Street, in the City of Simi Valley, then via Aristotle Street, Sinaloa Road, Royal Avenue, Haven Avenue, Elizondo Avenue, Sycamore Drive, Los Angeles Avenue, Kuchner Drive, Simi Valley Freeway, Topanga Road, Santa Susana Avenue, Devonshire Street, Arleta Avenue, Van Nuys Boulevard, Golden State Freeway, Hollywood Freeway, Harbor Freeway, 4th Street and Los Angeles Street to the intersection of 7th Street and Los Angeles Street in the City of Los Angeles.

Route 2: Simi Valley/Los Angeles Wilshire District Route

Commencing at the intersection of Los Angeles Avenue and Aristotle Street in the City of Simi Valley, then via Aristotle Street, Sinaloa Road, Royal Avenue, Haven Avenue, Elizondo Avenue, Sycamore Drive, Los Angeles Avenue, Kuchner Drive, Simi Valley Freeway, Topanga Road, Santa Susana Avenue, Devonshire Street, Arleta Avenue, Van Nuys Boulevard, Golden State Freeway, Hollywood Freeway, Highland Avenue, Melrose Avenue, Rossmore Avenue, Wilshire Boulevard, Grand Avenue, Sixth Street and Los Angeles Street to the intersection of 7th Street and Los Angeles Street in the City of Los Angeles.

Return via Los Angeles Street and Fifth Street to Sixth Street, then via the reverse of the above routing.

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SECTION 2. ROUTE DESCRIPTIONS (Continued)

Route 3 - Simi Valley/Zuma Beach Route

Commencing at the intersection of Menlo Street and Kuehner Drive, in the City of Simi Valley, thence via Kuehner Drive, Los Angeles Avenue, Sycamore Drive, Royal Avenue, Madera Road, Olson Road, and Moorpark Road to its intersection with Janss Road, thence via Janss Road, Lynn Road, Ventura Freeway, Ven Tu Park Road, Newberry Street, Theresa Drive, Borchard Road, and Reino Road to its intersection with Potrero Road, thence via the reverse of the above to the intersection of Moorpark Road and Janss Road, thence via Moorpark Road, Thousand Oaks Boulevard, Westlake Boulevard, Agoura Road, Kanan Road, Point Dume Road, and the Pacific Coast Highway to Zuma State Beach.

Route 4 - Simi Valley/Del Mar Route

Commencing at the intersection of Madera Road and Los Angeles Avenue in the City of Simi Valley, thence via Los Angeles Avenue, Kuehner Drive, San Fernando Valley-Simi Valley Freeway, De Soto Avenue, Devonshire Street, Arleta Avenue, Van Nuys Boulevard, Golden State Freeway, Santa Ana Freeway, San Diego Freeway (Interstate 5), Via De La Valle and service road into the Del Mar Race Track.