

**ORIGINAL**Decision No. 83527

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
 of CARL RODGERS and JOHN MOONEY,  
 a copartnership, for a certificate  
 of public convenience and neces-  
 sity to operate passenger stage  
 service between various points and  
 race tracks in the Southern Cali-  
 fornia area.

Application No. 54853  
 (Filed May 3, 1974;  
 amended July 19, 1974).

O P I N I O N

Applicants Carl Rodgers and John Mooney, a copartnership, request a certificate to operate as a passenger stage corporation between the Santa Anita Race Track, Hollywood Park Race Track, Del Mar Race Track, Los Alamitos Race Track, and the Pomona Fair Grounds limited to the transportation of persons employed at these race tracks. The application was noticed in the Commission's Daily Calendar of May 7, 1974. Greyhound Lines, Inc.-Western Division, protested the application concerning service at Del Mar Race Track. By letter dated July 19, 1974 applicants amended their application to eliminate service at Del Mar Race Track.

Applicants represent that race tracks within the southern California area have seasonal track meeting schedules, whereby there is an alternating schedule of meetings of the various tracks. A substantial number of employees live near or about each of the tracks as a matter of convenience. Many of the employees move their place of employment to the track that is open, while retaining their residence nearby the closed track. In addition to the varying locations of the operating tracks, there is a variance in the hours in which the track operates. Applicants state that there is no existing practical form of transportation for those employees other than the use of their own automobiles, or changing their residences

to the location of the operating tracks. Applicants represent that they are members of the group to whom the service is directed and that they are acquainted with the needs of those employees who have expressed their desire for the proposed service.

Bus schedules would vary to meet the requirements of those employees based upon the opening and closing time of the applicable track. The service will be round trip. Permission to use the private parking facilities of several of the tracks has already been obtained and it is anticipated that the other tracks will likewise give permission. Applicants propose to use two buses in the operation: a 1974 Dodge 14-passenger Maxi Van and if required a 45-passenger Greyhound scenic cruiser. Fares will range from \$3.50 to \$6 round trip per day depending on the origin and destination of the passengers. Applicants represent that they have a combined net worth in excess of \$100,000.

After consideration the Commission finds and concludes that a certificate should be issued to applicants to operate as a passenger stage corporation as set out in the ensuing order. The Commission further finds with reasonable certainty that the project involved in this proceeding will not have a significant effect on the environment. The certificate will be limited to provide service only to employees of the race tracks. A public hearing is not necessary.

Applicants are 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 Carl Rodgers and John Mooney, authorizing them 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.

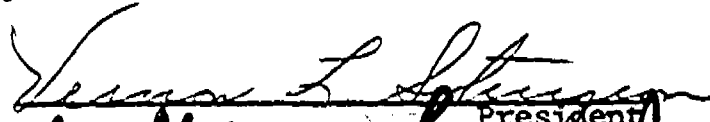


2. In providing service pursuant to the authority granted by this order, applicants shall comply with the following service regulations. Failure so to do may result in a cancellation of the authority.

- (a) Within thirty days after the effective date of this order, applicants shall file a written acceptance of the certificate granted. Applicants are placed on notice that if they accept the certificate they will be required, among other things, to comply with the safety rules administered by 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, applicants 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) Applicants shall maintain their 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 their 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 12<sup>th</sup>  
day of OCTOBER, 1974.

  
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President  
  
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\_\_\_\_\_  
Commissioners

NB

Appendix A

CARL RODGERS and JOHN MOONEY  
a co-partnership  
dba "SPORT OF KINGS" LINES

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CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

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Showing passenger stage operative rights, restrictions, limitations,  
exceptions and privileges applicable thereto.

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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. 83527, dated OCT 1 - 1  
1974, of the Public Utilities Commission of the State of California,  
on Application No. 54853.

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4	Hollywood Park to Pomona State Fair .....
5	Los Alamitos to Pomona State Fair .....

Issued by California Public Utilities Commission.

Decision No. 83527, Application No. 54853.

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

Carl Rodgers and John Mooney, a co-partnership, doing business as "Sport of Kings" Lines, by certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage between Hollywood Race Track, Los Alamitos Race Track, Pomona Fair Race Track, and Santa Anita Race Track located within the Southern California region, over and along the routes described herein; subject, however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- (a) Service is limited to employees of race tracks in the Southern California area.
- (b) Passengers shall be transported only between race tracks.
- (c) Service will be operated at times necessary to meet the needs of those employees based upon the opening and closing time of the applicable track.
- (d) When route descriptions are given in one direction, they apply to operation in either direction, unless otherwise indicated.

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Decision No. 83527, Application No. 54853.

## SECTION 2. ROUTE DESCRIPTIONS.

Route 1, Between Santa Anita and Hollywood Park

Commencing from Santa Anita Race Track over the most appropriate and convenient streets to west on Interstate Highway 10 (San Bernardino Freeway), south on Golden State Freeway, west on Santa Monica Freeway, south on State Highway 11 (Harbor Freeway), thence over the most appropriate and convenient streets to Hollywood Park. Reverse direction to Santa Anita Race Track.

Route 2, Between Los Alamitos and Hollywood Park

Commencing from Los Alamitos Race Track, over the most appropriate and convenient streets to south on Interstate Highway 605 (San Gabriel River Freeway), northwest on Interstate Highway 408 (San Diego Freeway), thence traversing over the most appropriate and convenient streets to Hollywood Park. Reverse direction to Los Alamitos Race Track.

Route 3, Between Santa Anita and Los Alamitos

Commencing from Santa Anita Race Track, over the most appropriate and convenient streets to east on Interstate Highway 10 (San Bernardino Freeway), south on Interstate Highway 605 (San Gabriel River Freeway), thence traversing the most appropriate and convenient streets to Los Alamitos Race Track. Reverse direction to Santa Anita Race Track.

Route 4, Hollywood Park to Pomona State Fair

Commencing from Hollywood Park over the most appropriate and convenient streets to north on State Highway 11 (Harbor Freeway), east on Santa Monica Freeway, north on Golden State Freeway, east on Interstate Highway 10 (San Bernardino Freeway), thence over the most appropriate and convenient streets in Pomona to the race track located on the Los Angeles County Fair Grounds.

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Alternate Route

Carrier while en route to Pomona on Route 4 may leave Interstate Highway 10 (San Bernardino Freeway), traversing over the most appropriate and convenient streets to Santa Anita Race Track and return over the most appropriate and convenient streets continuing east on Interstate Highway 10 (San Bernardino Freeway).

Route 5, Los Alamitos to Pomona State Fair

Commencing from Los Alamitos Race Track over the most appropriate and convenient streets to north on Interstate Highway 605 (San Gabriel River Freeway), east on Interstate Highway 10 (San Bernardino Freeway), thence over the most appropriate and convenient streets in Pomona to the race track located on the Los Angeles County Fair Grounds.

Alternate Route

Carrier while en route to Pomona on Route 5 may continue on Interstate Highway 605 (San Gabriel River Freeway), west on Interstate Highway 210 (Foothill Freeway), traversing over the most appropriate and convenient streets to Santa Anita Race Track; thence over the most appropriate and convenient streets continuing east on Interstate Highway 10 (San Bernardino Freeway).

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