

ORIGINAL

Decision No. 83831

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of FOUR WINDS TRANSPORTATION, INC. for authority to provide passenger stage service between points in Southern California and Xerox El Segundo Plant and others.

Application No. 54413
(Filed October 29, 1973)

Daniel L. Henshaw, for Four Winds Transportation, Inc., applicant.
Stephen T. Parry, for Southern California Rapid Transit District; and Ronald J. Hoffman, for Southern California Commuter Bus Service, Inc., protestants.
John deBrauwere, for the Commission staff.

O P I N I O N

Applicant Four Winds Transportation, Inc. (Four Winds) requests a certificate to operate as a passenger stage corporation over four routes in Southern California for the performance of commuter transportation of employees of specifically named organizations. A hearing was held on the application on October 29, 1974 at Los Angeles before Examiner Pilling. The application was protested by Southern California Commuter Bus Service, Inc. and Southern California Rapid Transit District. At the hearing Four Winds moved to amend its application to delete from the application all routes except the route from San Juan Capistrano to the Autonetics Division of North American Rockwell (Autonetics) at Anaheim. The examiner granted the motion to amend and protestants withdrew their protests to the application.

Four Winds' primary business is that of a charter-party carrier of passengers. It owns 11 buses and leases 3 buses, one or more of which are available for use in the proposed operation. The

buses are capable of transporting a maximum of 35 passengers, have reclining seats, and are air-conditioned. Until the late spring of 1974 Four Winds had been performing the requested service for approximately nine months when the Autonetics plant went on strike and Four Winds ceased the operation for lack of passengers. The witness for Four Winds stated that his company had been requested by employees of Autonetics to resume the service now that the company had settled the strike. Four Winds proposes to charge between \$9.75 and \$13.75 per week per passenger depending on where the passenger boards the bus. As of August 31, 1973 Four Winds had a net worth of \$13,363.

After consideration the Commission finds that public convenience and necessity require that a certificate should be issued to Four Winds 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 restricted to provide service only to employees of Autonetics.

Four Winds Transportation, Inc. 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 Four Winds Transportation, 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 set forth in Appendix A, attached hereto and made a part hereof.

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 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, 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.

3. The certificate of public convenience and necessity granted in paragraph 1 of this order shall supersede the certificate of public convenience and necessity granted by Decision No. 83467, Appendix B, which certificate is revoked effective concurrently with the effective date of the tariff filings required by paragraph 2(b).

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 17th
day of DECEMBER, 1974.

Vernon L. Sturgeon
President
William J. Quinn Jr.
John A. Quinn
Stanley A. Quinn
Robert E. McIlwain
Commissioners

JR

Appendix A FOUR WINDS TRANSPORTATION, INC.

Original Page 1

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.

Issued under authority of Decision No. 83831,
dated DEC 17 1974, of the Public Utilities Commission
of the State of California, in Application No. 54413.

JR

Appendix A

FOUR WINDS TRANSPORTATION, INC.

Original Page 2

INDEX

	<u>Page No.</u>
SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS	3
SECTION 2. ROUTE DESCRIPTIONS.	
<u>Route</u>	<u>Route Name</u>
1	Northeastern Orange County to Hughes Aircraft, El Segundo
	4
2	San Juan Capistrano to Autonetics Division of the North American Rockwell, Anaheim
	5

Issued by California Public Utilities Commission.

Decision No. 83831, Application No. 54413.

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

The certificate hereinafter noted supersedes all operative authority heretofore granted to Four Winds Transportation, Inc.

Four Winds Transportation, Inc., by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers between: (1) certain points in Orange and Los Angeles Counties, on the one hand, and Hughes Aircraft's El Segundo and airport facilities, on the other hand; (2) San Juan Capistrano, on the one hand, and the Autonetics Division facility of the North American Rockwell Company in Anaheim, 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 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) Only passengers destined to or originating at the Hughes Aircraft airport facility or the Autonetics Division of North American Rockwell, shall be transported.
- (d) Weekly round-trip transportation is based on a five-day work week to the place of employment. Service will be provided Monday through Friday of each week except during work shut-downs at the facility.

Issued by California Public Utilities Commission.

Decision No. 83831, Application No. 54413.

SECTION 2. ROUTE DESCRIPTION.

Route 1. Northeastern Orange County to Hughes Aircraft
in El Segundo

Commencing and picking up passengers at Orangethorpe Avenue and Kraemer Avenue, Placentia; thence west on Orangethorpe Avenue, north on State College Boulevard to Chapman Avenue, Fullerton, where passengers are to be picked up; thence south on State College Boulevard, west on the Riverside Freeway and Artesia Freeway to Beach Boulevard; thence north on Beach Boulevard to Orangethorpe Avenue, Buena Park, where passengers are to be picked up; thence south on Beach Boulevard, west on Artesia Freeway, south on Bellflower Boulevard to Artesia Boulevard, Bellflower, where passengers are to be picked up; thence north on Bellflower Boulevard, west on the Artesia Freeway and Artesia Boulevard, north on the San Diego Freeway, west on Imperial Highway to the Hughes Aircraft Facility, El Segundo (Imperial Highway and Sepulveda Boulevard) where passengers are discharged; thence north on Sepulveda Boulevard, east on Century Boulevard, south on Aviation Boulevard to 102nd Street to the Hughes Aircraft Airport Facility, and return.

JR

Appendix A FOUR WINDS TRANSPORTATION, INC.

Original Page 5

SECTION 2. ROUTE DESCRIPTION. (Contd.)

Route 2. San Juan Capistrano to Autonetics Division of the
North American Rockwell Facility in Anaheim

Commencing at Del Obispo Street and Camino Capistrano; thence north on Camino Capistrano, east on Del Obispo Street to Ortega Highway, east on Ortega Highway to San Diego Freeway, north on San Diego Freeway to Oso Parkway, east on Oso Parkway to Marguerite Parkway, west on Oso Parkway to Cabot Road, north on Cabot Road to La Paz Road, east on La Paz Road to San Diego Freeway, north on San Diego Freeway to Santa Ana Freeway, north on Santa Ana Freeway to Newport Freeway, north on Newport Freeway to Riverside Freeway, north on Riverside Freeway to Artesia Freeway, west on Artesia Freeway to Tustin Avenue, north on Tustin Avenue to La Palma Avenue, west on La Palma Avenue to Miller Street, north on Miller Street to parking lot of Autonetics Division of North American Rockwell Facility in the City of Anaheim.

Issued to California Public Utilities Commission.

Decision No. 83831, Application No. 54413.