

ORIGINALDecision No. 84065

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of CONTINENTAL PACIFIC LINES, a corporation, for authority to abandon service between the junction of Interstate Highway 80 with California State Highway 113 near Davis, and Sacramento, California, and for a restated certificate of public convenience and necessity as a passenger stage corporation, in lieu of all other certificates of public convenience and necessity, between various points and over various routes in the State of California.

Application No. 55211
(Filed September 27, 1974)

In the Matter of the Application of AMERICAN BUSLINES, INC., a corporation, for an extended and restated certificate of public convenience and necessity as a passenger stage corporation, in lieu of all other certificates of public convenience and necessity, between various points and over various routes in the State of California.

Application No. 55212
(Filed September 27, 1974;
amended November 4, 1974)

O P I N I O N

In Application No. 55211 Continental Pacific Lines (CPL), a corporation, requests cancellation of its operating authority between Sacramento and the junction of Interstate Highway 80 and California State Highway 113 near Davis.

In Application No. 55212 American Buslines, Inc. (American), a corporation, requests authority to operate as a passenger stage corporation between San Francisco and Sacramento and points intermediate thereto, on the one hand, and points on its present route between Sacramento and the California-Nevada state line via interstate Highway 80, on the other hand.

American and CPL are affiliated through common ownership by Continental Trailways, Inc.

American is predominantly an east-west carrier with interstate operating authority via Interstate Highway 80 between San Francisco and the California-Nevada state line but with intrastate authority only between Sacramento and the California-Nevada state line. By this application American seeks to provide a complete intrastate service in connection with its interstate service on Interstate Highway 80. CPL on the other hand is predominantly a north-south carrier having intrastate passenger stage authority between San Francisco and Stockton on the south and the California-Oregon state line on the north. From San Francisco CPL has the option of proceeding through either Woodland, Davis, or Sacramento. By this application CPL seeks to eliminate east-west service between Sacramento and points west thereof in favor of that service being given by its affiliate, American, as requested in American's herein application.

CPL alleges that there is far too little east-west intrastate traffic available to CPL to justify its operating in that service. Both CPL and American contend that allowing American to handle their combined share of the subject traffic will result in economies and efficiencies to both CPL and American with no diminution of service available to the public.

American also requests that the condition in its certificate requiring it to coordinate its service between Los Angeles and San Diego and intermediate points with certain railroad companies be eliminated from its certificate because the subject railroads have long since abandoned their passenger service.

By amendment to its application American has requested that if its application and CPL's companion application are granted, the certificates should contain a restriction against American transferring that portion of the requested authority between San Francisco and junction Interstate Highway 80 and California State Highway 113 near Davis, except to American's parent Continental Trailways, Inc.

After consideration the Commission finds that public convenience and necessity require the granting of the applications. The Commission further finds with reasonable certainty that the projects involved in the applications will not have a significant effect on the environment. A public hearing is not necessary. The Commission concludes that the applications should be granted as set out in the ensuing order. The transfer restriction will be put in American's certificate.

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. Certificates of public convenience and necessity are granted to Continental Pacific Lines and American Buslines, Inc., corporations, authorizing them to operate as passenger stage corporations, as defined in Section 226 of the Public Utilities Code, between the points and over the routes set forth in Appendices A and B, attached hereto and made a part hereof, subject to the transfer restriction therein.

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 certificates granted. Applicants are placed on notice that if they accept the certificates 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.

3. The certificates of public convenience and necessity granted in paragraph 1 of this order shall supersede the certificates of public convenience and necessity granted by Decisions Nos. 75190, 75192, 75603, and 76398, which certificates are revoked effective concurrently with the date of filing of the written acceptance required by paragraph 2(a).

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 11th
day of FEBRUARY, 1975.

Vernon L. Spencer
President
William J. Quinn
Edward J. Ross
Commissioners

CONTINENTAL PACIFIC LINES
(a Corporation)
dba
CONTINENTAL PACIFIC TRAILWAYS

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 Continental Pacific Lines by Decision No. 75190 in
Application No. 50676.

Issued under authority of Decision No. 84065 dated FEB 11 1975
of the Public Utilities Commission of the State of California, in
Application No. 55211.

CONTINENTAL PACIFIC LINES
(a corporation)
dba
CONTINENTAL PACIFIC TRAILWAYS

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CONTINENTAL PACIFIC LINES
(a corporation)
dba
CONTINENTAL PACIFIC TRAILWAYS

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

Continental Pacific Lines, doing business as Continental Pacific Trailways, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers, their baggage and shipments of express (including newspapers) weighing one hundred pounds or less, on passenger-carrying vehicles, between certain points in Northern California and points intermediate thereto, over the routes hereinafter described as a consolidated and unified operation, subject, however, to the authority of this Commission to change or modify said routes at any time, and subject to the following conditions, rights and restrictions:

- (a) When route descriptions are given in one direction, they apply to operation in either or in one direction, unless otherwise indicated.
- (b) Shipments of express are not subject to the restrictions that apply to the transportation of passengers and their baggage as set forth herein, except as otherwise noted.
- (c) Passengers and their baggage shall not be transported locally between the following points: Between San Francisco and the junction of Interstate Highway 80 with California State Highway 113 near Davis, and intermediate points.

Note: The term "locally" as used in connection with these restrictions does not apply to the movement of passengers and their baggage from points inside a restricted area to points outside that restricted area or to the movement of passengers and their baggage from points outside a restricted area to points inside said restricted area.

Issued by California Public Utilities Commission.

Decision No. 84065, Application No. 55211.

CONTINENTAL PACIFIC LINES
(a corporation)
dba
CONTINENTAL PACIFIC TRAILWAYS

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS AND
SPECIFICATIONS.. (Continued)

- (d) Carrier is authorized to operate to and from the company stations or points of passenger pickup and discharge within each city, town or community into or through which an authorized highway route passes or reaches any portion thereof, unless otherwise specifically restricted or limited, and may utilize all available freeways, city streets and county roads as access roads to or from such company stations or points of passenger pickup or discharge.

SECTION 1. ROUTE DESCRIPTIONS.

Route 1 San Francisco - Junction Interstate Highway 80/State Highway 113 near Davis

From San Francisco over Interstate Highway 80 to junction State Highway 113, including the intermediate points of Oakland, Richmond, Vallejo and Fairfield. (See restriction.)

Route 2 Stockton - California-Oregon State Line

From Stockton over Interstate Highway 5 to California-Oregon State Line, including the intermediate points of Red Bluff, Redding and Yreka.

Route 3 Junction Interstate Highway 80/Interstate Highway 505 -
Junction Interstate Highway 505/Interstate Highway 5

From junction Interstate Highway 80 with Interstate Highway 505 near Vacaville, over Interstate Highway 505 to junction with Interstate Highway 5.

Route 4 Sacramento - Woodland

From Sacramento over State Highway 16 to Junction with Interstate Highway 5 at Woodland.

Route 5 Davis - Woodland

From junction State Highway 113 with Interstate Highway 80 near Davis, over State Highway 113 to junction Interstate Highway 5.

Route 6 Sacramento - Stockton

From Sacramento over State Highway 99 to Stockton.

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 American Buslines, Inc. by Decisions Nos. 75192, 75603, and
76398 in Applications Nos. 50577 and 50938, respectively.

Issued under authority of Decision No. 84065 dated FEB 11 1975,
of the Public Utilities Commission of the State of California, in Application
No. 55212.

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

American Buslines, Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers, their baggage and shipments of express (including newspapers) weighing one hundred pounds or less, on passenger-carrying vehicles, between San Francisco including intermediate points and California-Nevada State Line except as noted and between certain points in Southern California and points intermediate thereto, over the routes hereinafter described as a consolidated and unified operation, subject, however, to the authority of this Commission to change or modify said routes at any time, and subject to the following conditions, rights and restrictions:

- (a) When route descriptions are given in one direction, they apply to operation in either or in one direction, unless otherwise indicated.
- (b) Shipments of express are not subject to the restrictions that apply to the transportation of passengers and their baggage as set forth herein, except as otherwise noted.
- (c) Routes designated as "alternate routes" in this appendix are defined as routes which are in addition to the regular routes between the named termini, and are authorized for operating convenience, to be operated at the option of the company, provided, however, no service may be rendered to or from any intermediate point or points thereon.
- (d) Carrier is authorized to operate to and from the company stations or points of passenger pickup and discharge within each city, town or community into or through which an authorized highway route passes or reaches any portion thereof, unless otherwise specifically restricted or limited, and may utilize all available freeways, city streets and county roads as access roads to or from such company stations or points of passenger pickup or discharge.

Issued by California Public Utilities Commission.

Decision No. 84065, Application No. 55212.

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS AND SPECIFICATIONS. (Continued)

- (d) Passengers and their baggage shall not be transported locally between the following points:
- (1) Between San Francisco and Sacramento and intermediate points.
 - (2) Between Sacramento and Roseville and intermediate points.
 - (3) Between Los Angeles, Long Beach, Newport Beach and Balboa and intermediate points.

Note: The term "locally" as used in connection with these restrictions does not apply to the movement of passengers and their baggage from points inside a restricted area to points outside that restricted area or to the movement of passengers and their baggage from points outside a restricted area to points inside said restricted area.

- (e) Service between Del Mar and Del Mar Race Track and the Fairgrounds (Route 4) shall be rendered only during racing meets and other events at said race track and fairgrounds.
- (f) No service shall be rendered to or from that portion of San Diego commonly known as San Ysidro.
- (g) American Buslines, Inc. and Continental Pacific Lines are subsidiaries of Continental Trailways, Inc. Authority of American Buslines, Inc. to operate between San Francisco and the junction of Interstate Highway 30 with California State Highway 113 near Davis, over Interstate Highway 80, duplicates similar authority held by its affiliate Continental Pacific Lines. For this reason said described portion of the authority of American Buslines, Inc. shall not hereafter be sold, transferred or assigned, except that such authority may be sold, transferred or assigned to its parent corporation Continental Trailways, Inc., subject to the same restriction.

SECTION 2. ROUTE DESCRIPTIONS.

I. NORTHERN CALIFORNIA OPERATIONSRoute 1 San Francisco - California-Nevada State Line

From San Francisco over Interstate Highway 80 to the California-Nevada State Line, including the intermediate points of Oakland, Richmond, Vallejo, Fairfield, Sacramento and Roseville.

II. SOUTHERN CALIFORNIA OPERATIONSRoute 1 Los Angeles - San Diego

From Los Angeles over city streets to Huntington Park, thence over Pacific Boulevard, Long Beach Boulevard, Long Beach Freeway to Long Beach, over city streets in Long Beach, California State Highway 1, to its junction with Interstate Highway 5 near Doheny Park and over Interstate Highway 5 to San Diego.

Route 2 Los Angeles - Junction Interstate Highway 5/California State Highway 1
(near Doheny Park)

From Los Angeles over Interstate Highway 5 to its junction with California State Highway 1, to be operated as an alternate route.

Route 3 Buena Park - Junction California State Highway 39/California State Highway 1

From Buena Park, thence over California State Highway 39 to its junction with California State Highway 1, to be operated as an alternate route.

Route 4 Del Mar - Del Mar Race Track and Fairgrounds

From junction Interstate Highway 5 and Via De La Valle in Del Mar, Via De La Valle, Jimmy Durante Boulevard and to the entrance of the race track and fairgrounds.

Route 5 Los Angeles - Long Beach

From Los Angeles over Interstate Highway 5 to its junction with California State Highway 7, California State Highway 7 to Long Beach. (see restrictions)

Route 6 Junction Interstate Highway 5/Laguna Canyon - Laguna Beach

From junction of Interstate Highway 5 with Laguna Canyon Road and over Laguna Canyon Road to Laguna Beach as an alternate route.

Route 7 Long Beach - Junction Interstate Highway 405/Interstate Highway 5

From Long Beach over California State Highway 22 to junction Interstate Highway 405, over Interstate Highway 405 to junction Interstate Highway 5, near El Toro, to be operated as an alternate route in combination with other authorized alternate and service routes.