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ORIGINAL

Decision No. 84513

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of GREYHOUND LINES, INC.,)
for authority to revise, modify and)
abandon specific routes of Route)
Group 11, Contra Costa County and to)
concurrently therewith discontinue)
related regular route operations.)

Application No. 55135

W. L. McCracken, Attorney at Law, for applicant.
Carol Gustafson, for the Orinda Association;
and Ernestine De Falco, for the League of
Women Voters of Diablo Valley; protestants.
Senator John A. Nejedly, for Contra Costa
County, 7th Senatorial District; Sherwood
Wakeman, Attorney at Law, for San Francisco
Bay Area Rapid Transit District; Williard
S. Fine, for Concerned Contra Costa County
Commuters Group; Mrs. Rosemarie Aguilar,
Antioch City Councilman, for the City of
Antioch; Mark L. Kermit, for the Board of
Supervisors, Contra Costa County; James S.
Ceragioli and S. M. Skaggs, Attorneys at
Law, Councilman, for the City of Walnut
Creek; and John E. Penn, for the Amalgamated
Transit Union, Local 1225; interested parties.
Elinore C. Morgan, Attorney at Law, for the
Commission staff.

SECOND SUPPLEMENTAL OPINION

By Decision No. 83674 dated October 29, 1974, Greyhound Lines, Inc. was authorized to discontinue its Contra Costa County commute service as of June 30, 1975. Because of doubt whether BART would be providing a complete service, including night, Saturday, and Sunday service by such time, the Commission

by order in Decision No. 84055 dated February 4, 1975 reopened the matter for the purpose of further hearing. Public hearing was held before Examiner Daly on April 2 and 3, 1975 at San Francisco and was submitted on the latter date.

In Decision No. 83674 the Commission found as follows:

- "1. On September 16, 1974 BART inaugurated its transbay rail service between Daly City and Concord. Concurrently therewith applicant commenced a program reducing service on competitive bus routes serving Contra Costa County. As of October 4, 1974 applicant was transporting an average of 1,500 round-trip commute passengers daily between points in Contra Costa County and San Francisco with a load factor of approximately 70 percent in the morning and 80 percent in the afternoon.
- "2. At the present time BART is transporting an average of 6,400 round-trip passengers daily during the commute hours using 10 trains with consists ranging from 5 to 9 cars. With few exceptions each train carries standees, and during the peak of the commute hours, the number of standees exceeds the number of passengers that are seated.
- "3. Until BART's sequential occupancy release system has been approved by this Commission, which will probably be determined in March or April of 1975, BART will be unable to increase its capacity by reducing the present 12-minute headway on the Daly City-Concord Line.
- "4. Although BART could conceivably transport applicant's 1,500 daily commute passengers at the present time, it could only do so by transporting them as standees on cars that are ill-equipped to accommodate them.

- "5. Commencing on December 2, 1974 BART, by virtue of a contractual arrangement with A. C. Transit, will commence a feeder bus service between Danville and Walnut Creek and between Antioch and Concord. Such service will duplicate bus services being provided by applicant between the same points.
- "6. If approved by the voters in the forthcoming November election, local transit bus service will commence on a limited basis in the early part of 1975. Said service will be within Contra Costa County Service Area T-2 and will duplicate local bus operations of applicant.
- "7. The Commission agrees with the parties that applicant should be relieved of its obligation to provide service consistent with the availability of substitute services, but it must be commensurate with the public interest and convenience.
- "8. The Commission adopts the date of December 2, 1974 for the discontinuance of applicant's weekday service on its Routes A, U, and O between Danville and Walnut Creek and between Antioch and Concord, only upon the condition that BART commences its contracted A. C. Transit bus service between said points. Concurrently therewith applicant may reroute its intercity service between San Francisco/Oakland and Stockton from Franklin Canyon route to the Caldecott Tunnel route.
- "9. The Commission adopts the date of June 30, 1975 for the discontinuance of applicant's remaining Contra Costa County local and transbay service. The Commission is of the opinion that this date provides a reasonable transition period and also provides all parties with the opportunity to appropriately plan and coordinate their efforts in the best interests of the public. Applicant will, therefore, continue to operate such service subject to the 90

percent load standard during the two-hour peak periods, until the Commission authorizes its discontinuance by supplemental order to be hereinafter issued."

To update these findings the Commission staff conducted an investigation, the results of which were introduced as Exhibit 38. That exhibit considers each finding and provides the following supplemental information:

Finding No. 1

"As of March 25, 1975, applicant is transporting 1,000 round-trip commute passengers resulting in approximately an overall 85 percent load factor."

Finding No. 2

"BART is transporting approximately 7,500 passengers during the morning commute hours using 11 trains. The average number of cars per train has increased from 6.8 to 7.8. Because both passengers and seats have increased, the situation with respect to there being a considerable number of standees on these trains is relatively unchanged."

Finding No. 3

"The approval of S.O.R. has not been determined as of April 2, 1975 and the effect of Finding 3 is still applicable."

Finding No. 4

"This finding is still applicable although the number of applicant's passengers is now 1,000."

Finding No. 5

"BART did commence Danville feeder service on December 2, 1974. Franciscan Lines, a private bus carrier, is now also providing a Danville-San Francisco commute service."

Finding No. 6

"The voters did not approve the transit item in the November 1974 election. The only local service at present is between Danville and Walnut Creek, Martinez and Concord, and Brentwood-Concord. There is no intracounty service on the route between Concord and Orinda. With regard to the above Finding No. 4, it is noted that BART in the commute hours can only accommodate additional passengers from any local feeder service as standees."

Finding No. 7

"We are not aware of any new facts that would have the effect of changing this finding."

Finding No. 8

"The A Route has been discontinued. The San Francisco/Oakland-Stockton intercity service has been rerouted to the Caldecott Tunnel Route. The U and O Routes from San Francisco/Oakland-Concord-Antioch are in operation on a reduced basis from that of before the start of BART Transbay service. The service between Concord and Antioch by BART Express Bus and by Greyhound is over parallel routes, but serve different intermediate areas. BART service throughout Central Contra Costa County is only during the period of 6:00 a.m. through 8:00 p.m. on weekdays."

Finding No. 9

"Hearings on Case No. 9867, Commission investigation into safety appliances and procedures of BART, are in progress, the last day having been on March 28, 1975. At these hearings, it was proposed that BART institute a program to identify their problems with equipment and other items; and at the end of 6 months, or on or about October 1, 1975, the progress in this program is to be reviewed. Thereafter it may require several months or a few years to correct the equipment problems."

Regarding the seat availability on Greyhound since issuance of Decision No. 83674, this commute service has been provided so as not to exceed the 90 percent load standard. Changes in the Greyhound service have been made, upon ten days' notice to the public, by informal timetable filings with the Commission, that have previously been the subject of discussions between the staffs of the Commission and Greyhound."

Other remarks set forth in Exhibit 38 by the staff are as follows:

- "(1.) Greyhound's present weekday night and weekend operations are the only service available at these times in Central Contra Costa County.
- "(2.) About 2/3 of the current Greyhound commute traffic on the Greyhound 'Y' and 'T' routes is being picked up or discharged at bus stops located between the BART stations.
- "(3.) The staff has been informed that the City of Walnut Creek has been making plans to transport passengers to the BART system from the Ygnacio Valley^{1/} Boulevard-Oak Grove Boulevard area.
- "(4.) There is a need for convenient bus service to the Shoreacre-West Pittsburg area. Such service may be accomplished by the common routing of all buses, both Greyhound and BART, from the general location of the Port Chicago Highway/Willow Pass Road, thence southerly along Bailey Road to the State Highway 4 interchange and thence continuing easterly along State Highway 4 to the Railroad Avenue interchange (Pittsburg), with reverse routing when traveling in a westerly direction.

^{1/} A representative for the city of Walnut Creek testified on April 2, 1975 that the city would not provide service over Ygnacio Boulevard until the Commission authorizes the discontinuance of service by Greyhound.

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"(5.) BART has about 190 cars available for revenue service, and was expected at the previous hearing to have 263 cars at this time."

Based upon the findings of its study the staff reached the following conclusion:

"In view of the developments discussed above and to further allow for the development of passenger-carrying capacity by BART and the possible inauguration of local bus service by local government agencies, Greyhound should be required to continue its service until no later than December 31, 1975, unless otherwise ordered by the Commission."

A representative of BART introduced Exhibits Nos. 29 and 30 which indicate that on the Concord and Fremont transbay lines during the morning peak period BART is transporting an average of 11,200 passengers; that during the evening peak period it is transporting an average of 13,480 passengers; and that BART Express Buses are transporting a daily average of 473 passengers on its D Line, 779 passengers on its U Line, 663 passengers on its M-P Line, and 153 passengers on its Q Line.

He testified that BART is operating its Concord line on a 12-minute headway and that the a.m. and p.m. peak patronage during the four commute hours has grown from 13,800 to approximately 15,900 since February 1975. He further testified that because of a number of events, including the recent safety hearings held by the Commission, BART's Board of Directors has adopted the policy of improving the quality of service before any decision will be made to increase the level of service.

Applicant presently operates a commuter service between the Transbay Terminal in San Francisco and points in Contra Costa County. Applicant has distributed time schedules in connection with its commuter service which show the approximate frequency of service during the peak periods. The level of the service is controlled by the Commission's requirement that applicant provide additional service whenever its load factor exceeds 90 percent. During the week of March 17-21, 1975, applicant transported an average of 955 passengers westbound daily and an average of 925 passengers eastbound daily with an average daily load factor of 87.2 percent.

In addition to the commuter service applicant operates 31 schedules daily, Monday through Friday, from about 6:00 a.m. to 1:15 a.m. between its 7th Street Terminal in San Francisco and points in Contra Costa County. Of these schedules, 16 are operated eastbound and 15 are operated westbound. These schedules are operated in what applicant refers to as its basic service. It is distinguished from the commuter service in that it originates at the 7th Street Terminal and is published in applicant's time schedules.

During the course of hearing applicant made a motion requesting authority to discontinue all basic schedules that are operated between the same hours that BART operates, i.e., weekday schedules between 5:55 a.m. and 6:05 p.m., inclusive, eastbound and 6:07 a.m. and 7:15 p.m., inclusive, westbound. Applicant would continue those basic service schedules operated at night and on weekends. Applicant would also continue operation of the commuter service until December 31, 1975, in conformity with the staff's recommendations and the Commission's 90 percent load factor requirement.

In justification for the immediate discontinuance of the basic service schedules, applicant introduced exhibits reflecting the total number of passengers transported on these schedules, including the on and off count, for the week of March 10-14, 1975. Exhibit 39 indicates that applicant transported 763 passengers on the 16 eastbound schedules, for a daily average of 155 passengers and an average of 9.5 passengers per schedule. Applicant transported a total of 645 passengers on the 15 westbound schedules, for a daily average of 129 passengers and an average of 8.6 passengers per schedule. Exhibit 41 indicates the average passengers on board per schedule that departed the various points served and is set forth as follows:

<u>March 10 - 14, 1975</u>			
<u>Eastbound</u>		<u>Westbound</u>	
<u>Departure Point</u>	<u>Average Per Schedule</u>	<u>Departure Point</u>	<u>Average Per Schedule</u>
San Francisco	7.4	Antioch	0.4
Oakland	7.7	Pittsburg	0.6
Orinda	7.3	Port Chicago	0.6
Lafayette	6.5	Clyde/Martinez	0.6
Walnut Creek	4.8	Concord	2.4
Pleasant Hill	3.9	Pleasant Hill	3.3
Concord	1.1	Walnut Creek	4.2
Clyde/Martinez	0.5	Lafayette	5.7
Port Chicago	0.4	Orinda	6.7
Pittsburg	-	Oakland	6.1
Antioch	-	San Francisco	-

Applicant contends that BART, operating on a 12-minute headway, is fully capable of meeting all public need for service during the midday hours.

Senator John A. Nejedly, who represents the 7th Senatorial District, as well as a number of individuals representing local governmental agencies as well as transportation groups in Contra Costa County, appeared in opposition to applicant's discontinuance of service on June 30, 1975. All were agreed that applicant should

be required to continue service until BART is operating a full and reliable service, seven days a week. There was also an agreement among the protestants that they were primarily concerned with the continuation of applicant's service during the peak hours. The so-called "basic service" on the U and O Routes includes schedules carrying passengers during the morning and evening peak periods on weekdays, and also provides a complete service seven days a week between 6:00 a.m. and 1:00 a.m. (approximately 19 hours daily). The midday schedules have already been reduced to two-hour intervals. As long as this basic service is required during the evenings and all day on weekends when BART is not operating, it does not appear desirable to fragment the basic service by discontinuing it in time segments. It should be continued as a complete service until such time as it is entirely removed.

After consideration the Commission finds that:

1. BART is presently operating its Daly City-Concord line on a 12-minute headway on weekdays between the approximate hours of 6:00 a.m. and 8:00 p.m. It provides no night or weekend service.
2. Because of certain operational problems the Board of Directors of BART has decided to give its full attention to improving the quality of BART's service before giving any consideration to increasing the level of service.
3. Applicant is presently operating a commuter service between the Transbay Terminal in San Francisco and Contra Costa County subject to a Commission requirement that it provide additional buses in the event its load factor exceeds 90 percent. During the week of March 17-21, 1975, applicant was operating approximately 26 schedules in each direction in its peak period commuter service with average load factor of 87.2 percent.

4. Public convenience and necessity require that applicant continue its commuter service between San Francisco and Contra Costa County until December 31, 1975.

5. Applicant is presently operating its basic service on the U and O Routes seven days a week between approximately 6:00 a.m. and 1:00 a.m. (about 19 hours daily). It does not appear desirable to fragment this basic service by discontinuing it during the daytime on weekdays only as proposed by a motion of the applicant. Applicant should continue operation of its basic service at night and on weekends until BART commences its night and weekend service, or until December 31, 1975.

SECOND SUPPLEMENTAL ORDER

IT IS ORDERED that:

1. Applicant shall continue to operate its present peak period commuter service between the San Francisco terminals and Contra Costa County until December 31, 1975.

2. Applicant shall continue operation of its entire basic service until BART commences its night and weekend service, but may discontinue such service on December 31, 1975.

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

Dated at San Francisco, California, this 10th day of JUNE, 1975.

Vernon L. Sturgeon
President
William J. Gaudin
Edward J. Koff
Robert R. Kohn
Commissioners