

ltc

ORIGINAL

Decision No. 84741

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of Travelier Charter, Inc., a
California corporation, for a
certificate of public convenience
and necessity to operate passenger
stage service between South San
Jose and Lockheed, Sunnyvale on
the other hand.

Application No. 55641
(Filed April 18, 1975)

O P I N I O N

By this application, Travelier Charter, Inc., a California corporation, requests a certificate of public convenience and necessity authorizing operation of a passenger stage service restricted to the commute transportation of employees of Lockheed Missiles and Space Company, Incorporated, between the Lockheed facility at 1111 Lockheed Way, Sunnyvale, and employees' homes located in south San Jose and intermediate points over the following route: beginning at Crown Boulevard and Almaden Expressway, to Blossom Hill Road, to Kooser Road, to Camden Avenue, to Highway 17, then onto Highway 101 to Fair Oaks turnoff to Lockheed. Operation would be via the most appropriate streets and highways now or hereafter available.

Applicant has been operating a Class A certificated charter-party passenger service within California since September 11, 1974, following transfer to it of the authority formerly held by California-Pacific Stage Lines, Inc. Applicant's principal place of business is in Milpitas. It has available to it 10 units of equipment and proposes that all equipment to be operated in this service will be 37-passenger or larger. As of September 30, 1974 it indicated a net worth of \$13,626.34.

A. 55641 ltc

Applicant proposes the following schedule and fares:

A. Schedule:

<u>Locations</u>	<u>Departure</u>	<u>Return</u>
San Jose Terminal	6:15 a.m.	5:25 p.m.
Crown Blvd-Almaden Exp.	6:25 a.m.	5:05 p.m.
Almaden and Blossom Hill	6:33 a.m.	5:00 p.m.
Lockheed	7:20 a.m.	4:20 p.m.

B. Round-trip fares from all points to Lockheed:

\$7.50 weekly \$1.50 daily, single

The proposed service would eliminate a number of private automobiles from the streets and highways, thus reducing air pollution and traffic congestion, as well as conserving petroleum.

Copies of the application were served on four certificated carriers providing existing local service, Lockheed Missile and Space Company, Incorporated, and the clerks of the city of San Jose and the county of Santa Clara. The only protests were filed by United Transit and the Santa Clara County Transit District, but were subsequently withdrawn.

Findings

1. Public convenience and necessity require that applicant be authorized to engage in operation of a passenger stage service restricted to commute transportation of Lockheed employees and persons seeking employment at Lockheed.
2. Applicant possesses the desirable experience, necessary equipment, and financial resources to provide the proposed service.
3. The proposed fares are reasonable.
4. With reasonable certainty the project will not have a significant effect on the environment.
5. A public hearing is not necessary.

The Commission concludes that the application should be granted as set forth in the ensuing order.

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 Travelier Charter, Inc., a California 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, and subject to the specific additional restrictions, set forth in Appendix A attached to this decision.

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.

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

Dated at San Francisco, California, this 5th day of AUGUST, 1975.

William S. Simon President
Vernon L. Lott
Charles A. ... Commissioners

Commissioner D. W. Holmes, being necessarily absent, did not participate in the disposition of this proceeding.

ltc *

Appendix A

TRAVELIER CHARTER, INC.
(a corporation)

Original Page 1

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

Travelier Charter, Inc., a California corporation, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport commuting passengers between Lockheed Missile and Space Company Inc., Sunnyvale, and certain points in San Jose, as named herein, over and along the route 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) Only employees and prospective employees of Lockheed destined to or originating at Lockheed Missile and Space Company, Inc., shall be transported.
- (b) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (c) All service herein authorized shall be limited to the transportation of round-trip passengers only. Service will be operated in the morning, leaving the first bus stop in San Jose, as noted herein, at approximately 6:25 A.M. and in the afternoon, leaving the Lockheed Missile and Space Company, Inc., Sunnyvale, at approximately 4:20 P.M.
- (d) Service will only be operated on days when work is in progress at the Lockheed Missile and Space Company, Inc.

Issued by California Public Utilities Commission.

Decision No. 84741, Application No. 55641.

Itc

Appendix A

TRAVELER CHARTER, INC.
(a corporation)

Original Page 2

SECTION 2. ROUTE DESCRIPTION.

Route 1 - San Jose - Lockheed

Commencing at Crown Boulevard and Almaden Expressway, thence on Almaden Expressway, Blossom Hill Road, Kooser Road, Camden Avenue, State Highway 17, U.S. Highway 101, Fair Oaks Avenue and to Lockheed Missile and Space Company Inc.

Passenger Bus Stops: Crown Boulevard and Almaden Expressway
Almaden Expressway and Blossom Hill Road
Lockheed Missile and Space Company Inc.

Issued by California Public Utilities Commission.

Decision No. 84741, Application No. 55641.