

Decision No. 85080**ORIGINAL**

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.
John E. Penn, for Amalgamated Transit Union,
Local Division 1228; Gail R. Murray, for the
City of Walnut Creek; Arundel H. Keane, for
City of Pleasant Hill; Robert A. Kormel, for
himself; and Feliz Insinger, for T Line
Commuters; protestants.
Elinore C. Morgan, Attorney at Law, for the
Commission staff.

THIRD 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 as to whether BART would be providing a complete service, including night, Saturday, and Sunday service by such time, the Commission by Decision No. 84055 dated February 4, 1975 reopened the matter for further hearing. By Decision No. 84513 dated June 10, 1975 the Commission, in extending the discontinuance date to December 31, 1975, found as follows:

- "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, 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."

Again, because it did not appear that BART would commence night, Saturday, and Sunday service until sometime after December 31, 1975, the Commission by Decision No. 84951 dated September 30, 1975, reopened the matter for further hearing and pursuant thereto a public hearing was held before Examiner Daly on October 17, 1975 at San Francisco.

A witness for BART testified that there has been no change from the last hearing and the district has no definite plans at this time for extending service. He further testified that BART is presently seeking funds from the Metropolitan Transportation Commission, which, if granted, would enable the district to extend

service during the evening hours only, hopefully after Thanksgiving and, if not, possibly sometime during the first part of 1976.

The staff in its Exhibit 42 reached conclusions and made recommendations as follows:

"Conclusions

"There has been no significant change in either BARTD service or its capability to serve since Decision 84513 and no changes are expected in the near future.

"Greyhound has experienced a 7% decrease in daily peak period patronage since Decision 84513. The remaining 907 daily commute passengers is significant enough to warrant the continuation of the Greyhound service.

"There is a possibility that BART may be able to provide weekday night service before December 31, 1976.

"Recommendations

- "1. Greyhound should continue its local transit and commute service in Central Contra Costa County at least until December 31, 1976.
- "2. The 90% maximum load factor requirement on Greyhound peak period commute service should remain in effect. The load factor requirement was ordered by Decisions 59530 and 59531 which was signed in January 1960.
- "3. In the event BART inaugurates full weekday night service prior to December 31, 1976 Greyhound should be authorized to discontinue its 'U' and 'O' Routes on weekdays by the application of the informal timetable filing procedures required by the Commission's General Order 98A."

A representative of the Metropolitan Transportation Commission introduced a statement of position which requests this Commission to require Greyhound to provide its present commute and basic transportation service between Contra Costa County and San Francisco until such time as the BART system operates at full schedule, including night and weekend service and expanded peak-hour capacity between Concord and San Francisco.

Other representatives of cities and commute groups renewed positions previously taken requesting a continuation of service by Greyhound.

Applicant introduced new evidence in support of its motion to discontinue basic service that is directly competitive with BART service during the weekday off-peak hours.

Exhibit 48 indicates that applicant's patronage for such schedules during the week of September 24-30, 1975 as compared to the week of March 10-14, 1975 decreased as follows:

<u>3/10 Mon.</u>	<u>3/11 Tues.</u>	<u>3/12 Wed.</u>	<u>3/13 Thurs.</u>	<u>3/14 Fri.</u>	<u>Total</u>
136	134	130	138	152	763
<u>9/29</u>	<u>9/30</u>	<u>9/24</u>	<u>9/25</u>	<u>9/26</u>	
108	96	98	132	105	539

The average passengers per schedule was 9.5 during the week of March and 7.7 for the week of September.

According to a witness for applicant, discontinuance of these competitive schedules would result in a savings of \$200 a day or \$50,000 annually.

Applicant argues that continuation of said schedules constitutes an unnecessary financial drain on its own operation and upon BART's to the extent that it diverts passengers who would otherwise use the services of BART. Applicant also argues that continuation of the discontinuance date for the period of one year rather than six months will reduce the urgency with which the cities in Contra Costa County will act to inaugurate local supplemental service.

After consideration the Commission finds that:

1. There has been no change in BART's service between San Francisco and Contra Costa County since the Commission's findings in Decision No. 84513.

2. There was nothing presented at this time to warrant a change in Finding No. 5 as set forth in Decision No. 84513. This Commission is still of the opinion that it would not be in the public interest to fragment the basic service on the "U" and "O" Routes during the weekday off-peak hours.

3. An extension of the discontinuance date for the period of one year as opposed to a six-month period would work no undue burden upon applicant. If there is a material change in conditions at any time during the one-year period, applicant may petition the Commission for an order of modification.

The Commission concludes that applicant should continue its present peak period commuter service between San Francisco and Contra Costa County until December 31, 1976 and should continue operation of its basic service until BART commences its night or weekend service, or until December 31, 1976.

THIRD SUPPLEMENTAL ORDER

IT IS ORDERED that:

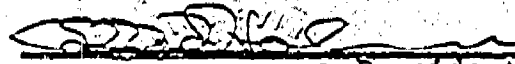
1. Applicant shall continue to operate its present peak period commuter service between San Francisco and Contra Costa County subject to the 90 percent maximum load factor requirement until December 31, 1976. ✓

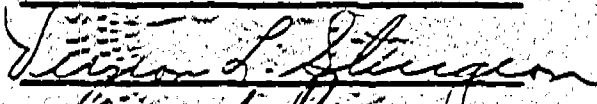
2. Applicant shall continue operations of its basic service until BART commences its night or weekend service, but may discontinue such service on December 31, 1976. ✓

3. In the event that BART should commence full week-night service, Monday through Friday, prior to December 31, 1976 applicant may discontinue its "U" and "O" Routes on weekdays by application of the timetable filing notice procedures required by General Order No. 98-A. ✓

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

Dated at San Francisco, California, this 31st day of OCTOBER, 1975.


President


William L. Sturgeon


Howard Koss


Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.