

Decision No. 86386

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application)
 of Ronald C. Kelsey, an individual,)
 doing business as SIERRA LINES for)
 an ex-parte order for authority to)
 establish additional passenger stage)
 services between various designated)
 points and the Lawrence Livermore)
 Laboratory; to establish fares; to)
 revise routings and schedules of)
 existing passenger stage services;)
 and to increase fares on existing)
 passenger stage services.)

Application No. 56411
 (Filed April 19, 1976)

O P I N I O N

Ronald C. Kelsey, doing business as Sierra Lines, presently operates as a Passenger Stage Corporation (PSC 142), transporting passengers in a "home-to-work" service between Lawrence Radiation Laboratory in Livermore, on the one hand and Concord, Orinda, Lafayette, Pleasant Hill, Walnut Creek, Danville, Alamo, Hayward and San Leandro, on the other hand.

By this application, Donald C. Kelsey seeks authority from the Commission to enlarge and to modify his Certificate of Public Convenience and Necessity; and to increase passenger fares on the existing routes. The requests for authority are as follows:

1. Establish and operate passenger stage service by bus over new regular routes between Lawrence Radiation Laboratory in Livermore and certain areas of Berkeley, El Cerrito, Oakland and Fremont.
2. Operate existing passenger stage service by bus over alternate routes between Dublin and Danville.
3. Extend the Orinda route about 0.4 mile in length.
4. Extend the existing route at Pleasant Hill about 1.5 miles in length.
5. Increase the passenger fares on existing routes and establish fares on a zone basis rather than a point basis.

The applicant indicates that there is no other scheduled passenger stage service operating between any of the points or over the routes as proposed by the applicant which serves the Lawrence Radiation Laboratory.

The applicant alleges that there are numerous requests from persons and personnel employed at Lawrence Radiation Laboratory to provide bus service from points along the routes as proposed to the Lawrence Radiation Laboratory and return to their residences in Berkeley, Fremont and Oakland.

The applicant also states that the requested fare increase for the existing routes will cover the substantially increased costs of fuel, insurance, maintenance and labor expenses incurred since the present fares were authorized.

The present fares were established by Decision 74588 dated August 20, 1968 in Application 50343.

The staff of the Transportation Division has made an analysis of applicant's operations, proposed routes and requested fares and recommends that the application be granted without hearing if no protests are received. The staff's report on the estimated results of operations for the present common carrier routes is hereby received as Exhibit 1. The exhibit indicates the following results:

ESTIMATED RESULTS OF COMMON CARRIER OPERATIONS
RATE YEAR ENDING JUNE 30, 1977

Item or Account		Rate Year	
Number	Description	Present Fares	Requested Fares
	Bus Miles	96,120	96,120
	Passengers	51,750	46,250
	<u>Revenue</u>		
320	Passengers	\$ 53,050	\$67,450
	<u>Expenses</u>		
410	Maintenance	\$ 12,830	\$12,830
420	Transportation	24,670	24,670
440	Traffic	1,020	1,020
450	Insurance	5,560	5,560
460	Administration	6,250	6,250
500	Depreciation	6,600	6,600
520	Tax	3,940	3,940
530	Rent	2,370	2,370
400 & 500	Total Expenses	\$ 63,240	\$63,240
	Operating Income	\$-10,190	\$ 4,210
800	Income Tax	- 2,770	1,160
		\$- 7,420	\$ 3,050
	Operating Ratio - %	114.0	95.5

In accordance with Section 730.3 of the Public Utilities Code, affected state and local public agencies and corporations operating passenger transit systems were notified of the application and were requested to furnish an analysis of the effect of the proposed rate increase on overall transportation problems within the territories served by such passenger transit systems. No comments from the notified parties have been received.

In accordance with Section 730.5 of the Public Utilities Code, we find that the fare increase granted by this decision will result in a decrease in patronage of approximately 12 percent. The fare increase will have no effect upon public transit systems

as proposed in required transportation plans prepared pursuant to Chapter 2.5 of Title 7 of the Government Code.

Notice of filing of this application appeared in the Commission's Daily Calendar on April 20, 1976. No protests have been received.

After consideration, the Commission finds that:

1. Public Convenience and Necessity require the extension and enlargement of applicant's service as proposed.
2. The requested revision of the existing routes is reasonable.
3. It can be seen with certainty that there is no possibility that this project will have a significant effect on the environment.
4. The requested fare increase for the existing routes would result in additional annual revenue in the amount of \$14,400.
5. The proposed fare increase is justified.
6. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. A Certificate of Public Convenience and Necessity is granted to Ronald C. Kelsey, doing business as Sierra Lines, authorizing him to extend his present operations 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 of Decision 66779.

2. Appendix A of Decision 66779 in Application 46029 is amended by incorporating therein First Revised Pages 2 and 3 in revision of Original Pages 2 and 3, respectively, and Original 4 and 5 which pages are attached hereto and made a part hereof.

3. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure to do so 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 he accepts the certificate he 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 98-Series, and the insurance requirements of the Commission's General Order 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 five days after the effective date of this order on not less than five 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 79-Series and 98-Series.
- (e) Applicant shall maintain his 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 his operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

4. Ronald C. Kelsey, doing business as Sierra Lines, is authorized to establish the increased fares proposed in Application 56411. Tariff publications authorized to be made

as a result of this order may be made effective not earlier than five days after the effective date of this order or not less than five days' notice to the Commission and to the public.

5. The authority for the increased fares shall expire unless exercised within 90 days after the effective date of this order.

6. In addition to the required posting and filing of tariffs, applicant shall give notice to the public by posting in his buses a printed explanation of the fares. Such notice shall be posted not less than five days before the effective date of the fare changes and shall remain posted for a period of not less than 30 days.

Since the operation is presently being conducted at a loss, the effective date of this order is the date hereof.

Dated at San Francisco, California, this 14th day of SEPTEMBER, 1976.

[Signature]
President

William Synovae Jr.

Vernon L. Stinson

Leonard Roy

Robert Butler

Commissioners

Appendix A
(Dec. 66779)

Ronald C. Kelsey
doing business as
SIERRA LINES

First Revised Page 2
Cancels
Original Page 2

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

The certificate heretofore noted supersedes all operative authority heretofore granted to Ronald C. Kelsey and Joseph A. Maltby.

Ronald C. Kelsey, by the Certificate of Public Convenience and Necessity granted in the decision noted in the margin, is authorized to transport passengers between Concord, Orinda, Lafayette, Pleasant Hill, Walnut Creek, Danville, Alamo, Berkeley, El Cerrito, Oakland, Hayward, San Leandro and Fremont, on the one hand, and the Lawrence Radiation Laboratory in Livermore, on the other hand, subject to the following conditions and restrictions:

- (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 operations in either direction unless otherwise indicated.
- (c) Service shall be limited to passengers destined to or originating at the Lawrence Radiation Laboratory in Livermore.

SECTION 2. ROUTE DESCRIPTIONS.

Route A: Commencing at the intersection of Santa Maria Way and Camino Pablo Way in Orinda, thence over Camino Pablo Way, Brookwood Road, State Highway 24, Mount Diablo Boulevard in Lafayette, State Highway 24, Mount Diablo Blvd., Main Street in Walnut Creek, Main Street, Danville Boulevard, Hartz Avenue, San Ramon Valley Boulevard, to Interstate Highway 580, South Vasco Road and Mesquite Way in Livermore to Lawrence Radiation Laboratory, return by reverse of route.

Issued by California Public Utilities Commission.

Revised by Decision No. 86386, Application No. 56411.

Appendix A
(Dec. 66779)

Ronald C. Kelsey
doing business as
SIERRA LINES

First Revised Page 3
Cancels
Original Page 3

SECTION 2. ROUTE DESCRIPTIONS. (Continued)

Route B: Commencing at the intersection of San Pablo Avenue and El Dorado Street in El Cerrito, then over San Pablo Avenue, Gilman Street in Berkeley, Santa Fe Avenue, Hopkins Street, Sutter Street, Henry Street, Rose Street, Oxford Street, Fulton Street, Ashby Avenue, Tunnel Road, Warren Freeway, Monterey Boulevard, Warren Freeway (State Highway 13), Interstate Highway 580, Foothill Boulevard, Mattox Road, Castro Valley Boulevard in Castro Valley, Interstate Highway 580, Vasco Road, Mesquite Way in Livermore to Lawrence Radiation Laboratory.

Returning from Lawrence Radiation Laboratory in Livermore thence via Mesquite Way, Vasco Road, Interstate Highway 580, Castro Valley Boulevard in Castro Valley, thence via Interstate Highway 580, Warren Freeway (State Highway 13) in Oakland, Mountain Boulevard, Redwood Road, Mountain Boulevard, Warren Freeway, Mountain Boulevard, Joaquin Miller Road, Lincoln Avenue, Monterey Boulevard, Park Boulevard, Mountain Boulevard, Warren Freeway (State Highway 13), Tunnel Road, Ashby Avenue, Ellsworth Street, Bancroft Way, Oxford Street, Rose Street, Henry Street, Sutter Street, Hopkins Street, Santa Fe Avenue, Gilman Avenue, San Pablo Avenue to El Dorado Street in El Cerrito.

Route C: Commencing at the intersection of Grant Street and State Highway 24 in Concord, thence over State Highway 24, Concord Avenue, Galindo Street, Monument Boulevard, North Main Street, Oak Park Boulevard, Main Street, Danville Boulevard, Hartz Avenue, San Ramon Valley Boulevard, Interstate Highway 580, South Vasco Road and Mesquite Way in Livermore, to Lawrence Radiation Laboratory; return by reverse of route.

Route D: Commencing at the intersection of Hartz Avenue and Diablo Street in Danville, thence over San Ramon Valley Boulevard, San Ramon Road, Interstate Highway 580, South Vasco Road and Mesquite Way in Livermore to Lawrence Radiation Laboratory; return by reverse of route.

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Appendix A
(Dec. 66779)

Ronald C. Kelsey
doing business as
SIERRA LINES

Original Page 4

SECTION 2. ROUTE DESCRIPTIONS. (Continued)

- Route F: Commencing at BART Station in Fremont, thence via Civic Center Place, Civic Center Drive, Mowry Avenue, Fremont Boulevard, Washington Boulevard, Olive Avenue, Palm Avenue, Mission Boulevard (State Highway 238), Interstate Highway 680, Interstate Highway 580, South Vasco Road and Mesquite Way in Livermore to Lawrence Radiation Laboratory; return by reverse of route.
- Route H: Commencing at the intersection of Farnsworth Street and Manor Boulevard in San Leandro, thence over Farnsworth Street, Grant Avenue, Via Alamitos, Hacienda Avenue, Hathaway Avenue, Blossom Way, Meekland Avenue in Hayward, "A" Street, Mission Boulevard, Matton Road, Castro Valley Boulevard, Interstate Highway 580, South Vasco Road and Mesquite Way in Livermore to Lawrence Radiation Laboratory; return by reverse of route.
- Route O: Commencing at the intersection of 40th Street and Grove Street in Oakland, thence via 40th Street, Broadway, Broadway Terrace, Warren Freeway (State Highway 13), Moraga Avenue, Mountain Boulevard, Park Boulevard, Monterey Boulevard, Warren Freeway (State Highway 13), Redwood Road, 35th Avenue, E. 14th Street, Bancroft Avenue, 98th Avenue, MacArthur Boulevard in San Leandro, thence via Interstate Highway 580, Foothill Boulevard, Mattox Road, Castro Valley Boulevard, Interstate Highway 580, South Vasco Road and Mesquite Way in Livermore to Lawrence Radiation Laboratory; return by reverse of route.
- Route P: Commencing at the intersection of Center Street and Contra Costa Boulevard in Pacheco, thence over Contra Costa Boulevard, Main Street, Danville Boulevard, Hartz Avenue, San Ramon Valley Boulevard, Interstate Highway 580, South Vasco Road and Mesquite Way in Livermore to the Lawrence Radiation Laboratory; return by reverse of route.

Alternate Routes:

1. Commencing at the intersection of Danville Boulevard and Stone Valley Road in Alamo, thence over Stone Valley Road, Interstate Highway 680 to Interstate Highway 580; return by reverse of route.

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Added by Decision No. 86386, Application No. 56411.

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Appendix A
(Dec. 66779)

Ronald C. Kelsey
doing business as
SIERRA LINES

Original Page 5

Alternate Routes: (Continued)

2. Commencing at the intersection of San Ramon Valley Boulevard and Sycamore Valley Road in Danville, thence over Sycamore Valley Road to Interstate Highway 680; return by reverse of route.

Issued by California Public Utilities Commission.

Added by Decision No. 86386, Application No. 56411.