

Decision 84 08 121 AUG 7 1984

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of )  
Commuter Bus Lines, Inc., to modify )  
existing Sacramento - Woodland route )  
to serve Sacramento Metropolitan )  
Airport. )

Application 84-04-145  
(Filed April 30, 1984)

O P I N I O N

This is an application in which Commuter Bus Lines, Inc. (Commuter) seeks authority to modify its existing Sacramento-Woodland route to serve the Sacramento Metropolitan Airport (Airport).

Notice of the application appeared in the Commission's Daily Calendar on May 4, 1984. There are no protests.

The Commission makes the following findings and conclusion.

Findings of Fact

1. A public hearing is not necessary in this matter.
2. Commuter operates intrastate scheduled and charter service. It holds authority granted by this Commission (PSC-453, TCP-69B, etc.), and by the Interstate Commerce Commission (ICC - MC-165478). It has operated as a passenger stage corporation continuously for more than 35 years.
3. Commuter presently owns 61 vehicles: 43 intercity coaches, 3 sightseeing coaches, 8 suburban coaches, and 7 transit coaches. Twenty-one of these vehicles are used in its Sacramento area operations.
4. Commuter had \$772,755 in assets as of February 29, 1984. It had operating revenues of \$343,955 for the first two months of 1984.
5. Commuter holds authority from this Commission to operate between the Cities of Sacramento and Woodland, pursuant to a Joint

Powers Agreement (JPA) between the Cities of Woodland and Davis, and the County of Yolo, as set forth in Decision (D.) 82-01-43 dated January 5, 1982, and D-83-01-050 dated January 12, 1983.

6. On November 28, 1983, Commuter filed Application 83-11-58, asking this Commission to revoke the authority set forth in Finding 5, alleging a lack of jurisdiction. This application is still pending. However, Commuter avers that should a favorable decision be issued in A.83-11-58, it wishes to operate between Sacramento and Airport, as a passenger stage corporation subject to the jurisdiction of this Commission.

7. Commuter presently has authority to serve the following routes:

From Sacramento to Woodland - Beginning at the intersection of 10th and "N" Streets in the City of Sacramento, thence along 10th Street, "L" St. and Interstate 5 to the City of Woodland.

From Woodland to Sacramento - From the City of Woodland, along Interstate 5, "J" Street, 9th Street, "Q" Street and 10th Street to "N" Street in the City of Sacramento.

Commuter seeks to include the following in the existing authority:

From Interstate 5 along airport roadways to terminal buildings and return to Interstate 5, a radius of approximately one (1) mile from existing route along Interstate 5.

Commuter also seeks to expand its pickup and dropoff area for Airport passengers to include the following:

Airport passengers may be transported from and to points within the area bounded on the north by the American River; on the east by Alhambra Boulevard and the prolongation thereof; on the

south by "Q" Street; and on the west by the Sacramento River. Also, along the Business 80-Interstate 80 corridor from the American River to Madison Avenue, including all adjacent and intersecting streets within one (1) mile on either side of Business 80-Interstate 80.

8. Commuter proposes to operate Airport service Monday through Friday, except for major holidays as follows:

Downtown Sacramento 10th & N Sts.	Sacramento Metropolitan Airport		Downtown Sacramento 10th & N Sts.
<u>Leave</u>	<u>Arrive</u>	<u>Leave</u>	<u>Arrive</u>
5:45 AM	6:10 AM	5:50 PM	6:15 PM
6:15 AM	6:40 AM	6:10 PM	6:45 PM

Other service on an on-call basis for 25 or more adult fares or equivalent thereof.

9. Commuter states it intends to charge the following one-way fares for the proposed service.

	<u>Adults Age 12 and over</u>	<u>Children Age 5 through 11</u>
Downtown Sacramento Area	\$2.00	\$1.00
Business 80-Interstate 80 Corridor	3.00	1.50

10. There is presently no scheduled transit bus service of any kind to or from Airport. The only public utility service is provided by van or limousines from downtown Sacramento at rates higher than those proposed by Commuter.

11. Commuter has received a large number of telephone calls requesting service to Airport. Many of these calls have been prompted by the fact that its buses are seen passing Airport but do not stop there.

12. Commuter has the ability, including financial ability, to conduct the proposed operations.

13. Public convenience and necessity require that Commuter be granted the additional operating authority.

14. It can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment.

15. Because the service will be of benefit to the public needing transportation to Airport, this decision should become effective on the date of issuance.

Conclusion of Law

The application should be granted.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Commuter Bus Lines, Inc., authorizing it to operate as a passenger stage corporation, as defined in Public Utilities Code § 226 between the points and over the routes set forth in Appendix PSC-453.

2. Applicant shall:

- a. File a written acceptance of this certificate within 30 days after this order is effective.
- b. Establish the authorized service and file tariffs and timetables within 120 days after this order is effective.

- c. State in its tariffs and timetables when service will start; allow at least 3 days' notice to the Commission; and make timetables and tariffs effective 3 or more days after this order is effective.
- d. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.
- f. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.

3. Prior to initiating service to any airport, applicant shall notify the airport authority involved. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by both this Commission and the airport authority involved.

4. Applicant is authorized to begin operations on the date that the Executive Director mails a notice to applicant that it has evidence of insurance on file with the Commission and that the California Highway Patrol has approved the use of applicant's vehicles for service.

- 5. The application is granted as set forth above.  
This order is effective today.

Dated AUG 7 1984, at San Francisco, California.

Commissioner Priscilla C. Crew,  
being necessarily absent, did  
not participate

LEONARD M. GRIMES, JR.  
President  
VICTOR CALVO  
DONALD VIAL  
WILLIAM T. BAGLEY  
Commissioners

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY.

T/yo \*

Appendix PSC-453

Commuter Bus Lines, Inc.

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CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC-453  
Section T

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Showing passenger stage operative rights, restrictions,  
limitations, expectations and privileges.

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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.

Issued under authority of Decision 84-08-121, dated August 7, 1984,  
of the Public Utilities Commission of the State of California, in  
Application 84-04-145.

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

Commuter Bus Lines, Inc. , by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation to transport passengers and their baggage between points described in Section 3, subject, however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- a. Applicant shall provide at least two round trips to the Sacramento Metropolitan Airport (SMF) Monday thru Friday, except holidays. Additional trips will be provided on an on-call basis provided applicant has received reservations for 25 or more adult fares or equivalent thereof.
- b. The term "on-call" as used refers to service which is authorized to be rendered dependent on the demands of passengers. Tariffs and timetables shall show the conditions under which on-call service will be rendered.
- c. All transportation of passengers shall originate at and shall be destined to the service points specified in Section 3.
- d. Passengers originating at or destined to the Sacramento service area shall not be picked up or dropped off at any location except the Sacramento Metropolitan Airport (SMF).
- e. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.

Issued by California Public Utilities Commission.

Decision 84-08-121 , Application 84-04-145.

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

- f. Prior to initiating service to any airport, applicants shall notify the airport authority involved. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by both this Commission and the airport authority involved.

Issued by California Public Utilities Commission.

Decision 84-08-121, Application 84-04-145.



T/yo \*

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SECTION 2. Sacramento Service Area

The Sacramento Service Area shall include all the territory bounded on the North by the American River; on the east by Alhambra Boulevard and the prolongation thereof, on the South by "Q" Street; and on the west by the Sacramento River. Also along the Business 80-Interstate 80 corridor from the American River to Madison Avenue, including all adjacent and intersecting streets within one (1) mile on either side of Business 80-Interstate 80.

Issued by California Public Utilities Commission.

Decision 84-08-121, Application 84-04-145.

T/yo \*

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SECTION 3. ROUTE DESCRIPTIONS.

Route 1. Sacramento - Sacramento Metropolitan Airport

Commencing at point(s) within the Sacramento Service area described in Section 2, then via the most convenient streets and highways to Sacramento Metropolitan Airport (SMF) service point.

Issued by California Public Utilities Commission.

Decision 84-08-121, Application 84-04-145.

12. Commuter has the ability, including financial ability, to conduct the proposed operations.

13. Public convenience and necessity require that Commuter be granted the additional operating authority.

14. It can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment.

15. Because the service will be of benefit to the public needing transportation to Airport, this decision should become effective on the date of issuance.

Conclusion of Law

The application should be granted.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Commuter Bus Lines, Inc., authorizing it to operate as a passenger stage corporation, as defined in Public Utilities Code § 226 between the points and over the routes set forth in revised Appendix A of PSC-453.

2. Appendix A of PSC-453 is amended by replacing First Revised Page 2 and Original Pages 4 and 5 with Second Revised Page 2, Original Page 2A, Revised Pages 4 and 5, and Original Page 6 (attached).

3. Applicant shall:

- a. File a written acceptance of this certificate within 30 days after this order is effective.
- b. Establish the authorized service and file tariffs and timetables within 120 days after this order is effective.