

ALJ/jc/md

Decision 84 11 102 NOV 21 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
YELLOW BUS COMPANY, INC., a)
California corporation, to transfer)
and sell certain property and a)
certificate of public convenience)
and necessity and PINETREE SERVICE)
CORPORATION, a California)
corporation, to acquire, under Public)
Utilities Code § 851 et. seq.)

Application 84-06-068
(Filed June 21, 1984)

O P I N I O N

By this joint application, Yellow Bus Company, Inc. (Yellow Bus), a California corporation, seeks authority under Public Utilities (PU) Code § 851 et seq., to transfer and sell certain assets and its certificate of public convenience and necessity (CPCN) to Pinetree Service Corporation (Pinetree), a California corporation.

Yellow Bus presently holds authority (PSC-1327) to operate as a passenger stage corporation to transport passengers in an airport access service between San Diego Lindbergh Field and Los Angeles International Airport with intermediate service points in La Jolla, Oceanside, San Clemente, Laguna Hills, John Wayne Airport, and the Long Beach Airport.

Pinetree's principal place of business is in Los Angeles County. It has a wholly owned subsidiary, California Charter Buses, and a school bus operating division, Pinetree Transportation. Pinetree holds a passenger stage certificate (PSC-1152) and Class A charter-party authority (TCP-88A).

Pinetree proposes to acquire all of the licenses, operating rights and certificate, rolling stock, spare parts, tools and equipment free and clear of any mortgage, deed of trust, pledge, lien, security interest, encumbrance, and charge or claim. The financial statement attached to the application as Exhibit A shows

Pinetree with assets of \$5,955,342 and stockholders equity of \$2,134,783. The application states Pinetree is ready, willing, and able to assume control of the certificate, tools and rolling stocks, and has the financial ability and experience to perform the service authorized to be conducted by seller. It states that the transfer is non-controversial and that it is in the best interests of the public.

The application appeared in the Commission's Daily Transportation Calendar on June 27, 1984. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Yellow Bus holds a passenger stage certificate (PSC-1327) authorizing the transportation of passengers and their baggage between the San Diego Lindbergh Field and Los Angeles International Airport (LAX) with intermediate stops.

2. Pinetree holds a passenger stage certificate (PSC-1152) authorizing the transportation of passengers and their baggage between LAX, Bakersfield, Palm Springs, and San Diego. Pinetree also holds Class A charter-party authority (TCP-88A).

3. Pinetree has the experience, financial resources, ability, and fitness to provide the service now provided by Yellow Bus.

4. The application appeared in the Commission's Daily Transportation Calendar on June 27, 1984. No protests to the transfer have been received.

Conclusion of Law

The proposed transfer is in the public interest and should be authorized. A public hearing is not necessary.

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. By December 15, 1984, Yellow Bus Company, Inc. may sell and transfer the operative rights and property specified in the application to Pinetree Service Corporation.

2. Purchaser shall:

- a. File with the Transportation Division written acceptance of the certificate and a copy of the bill of sale or other transfer document within 30 days after transfer.
- b. Amend or reissue seller's tariffs and timetables, state in them when the service will start, make them effective 10 or more days after this order is effective, and allow at least 10 days' notice to the Commission.
- c. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.
- d. File an annual report of seller's operations for the period from the first day of the current year to the date of transfer.
- 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. If the transfer is completed, on the effective date of the tariffs a certificate of public convenience and necessity is granted to Pinetree Service Corporation, a corporation, authorizing it to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in First Revised Page 1 and Original Page 7 of Appendix PSC-1152.

4. The certificate of public convenience and necessity granted by Decision 84-02-071 is revoked on the effective date of the tariffs.

5. The application is granted as set forth above.

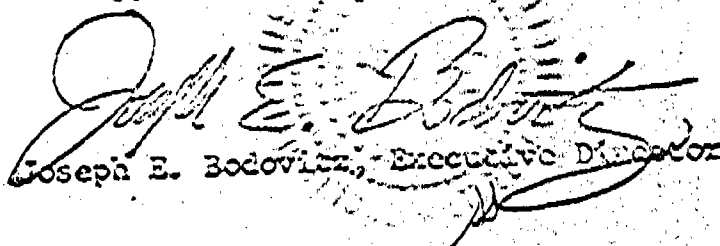
This order becomes effective 30 days from today.

Dated NOV 21 1984, at San Francisco, California.

FRISCELLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

Commissioner Victor Calvo,
being necessarily absent, did
not participate

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


Joseph E. Bodovitz, Executive Director

T/bcy

Appendix PSC 1152

PINETREE SERVICE
CORPORATION, INC.

First Revised Page 1
Cancels
Original Page 1

I N D E X

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| SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS | 2 |
| SECTION 2. AUTHORIZED POINTS OF ORIGIN/TERMINATION | 4 |
| SECTION 3. ROUTE DESCRIPTIONS. | |

| <u>Route</u> | <u>Route Name</u> | |
|--------------|---|---|
| 1 | Santa Anita-Oak Tree | 5 |
| 2 | Hollywood Park | 5 |
| 3 | Dodger Stadium | 5 |
| 4 | SAN to LAX | 5 |
| 5 | Bakersfield to LAX | 5 |
| 6 | Palm Desert/Palm Springs to LAX | 6 |
| 7 | Camp San Onofre-Camp Horno | 6 |
| 8 | Camp San Mateo-Camp Christianitos- Camp Talega | 6 |
| 9 | Camp San Onofre, Horno, San Mateo, Talega, or Christianitos- Disneyland (Anaheim) | 6 |
| *10 | Lindbergh Field (SAN) - Los Angeles International Airport (LAX) | 7 |

Issued by California Public Utilities Commission.

*Added by Decision 84 11 102, Application 84-06-068.

SECTION 3. ROUTE DESCRIPTIONS. (Continued)

Route 10. Lindbergh Field (SAN) - Los Angeles International Airport
(LAX)

Commencing at Lindbergh Field (SAN), then over and along the most convenient streets and highways to the following passenger pickup and discharge areas and points: La Jolla; Oceanside; San Clemente; Laguna Hills; John Wayne Airport (SNA), in Irvine; Long Beach Airport (LGB); and Los Angeles International Airport (LAX).

Issued by California Public Utilities Commission.

Decision S4 11 102, Application 84-06-068.