

Decision 82 02 025

FEB - 4 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Gary R. Bowen and Ronald E. Ibold,)
doing business as EAST VALLEY LINES)
to transfer a portion of a Certifi-)
cate of Public Convenience and Nec-)
essity to Ronald E. Ibold who is)
desolving (sic) his partnership with)
Gary R. Bowen who will continue to)
provide service as EAST VALLEY LINES,)
Ronald E. Ibold will continue to)
provide service as BLOSSOM VALLEY)
COMMUTE.)

Application 60204
(Filed January 20, 1981)

O P I N I O N

Gary R. Bowen and Ronald E. Ibold (applicants), doing business as East Valley Lines, seek authority to terminate their partnership and divide their passenger stage operating authority between them. Subject of this application is the certificate of public convenience and necessity (PSC-1047) granted in Decision (D.) 91083 dated November 30, 1979 in Application (A.) 59133.

The certificate authorizes transportation between ten points in San Jose and Sunnyvale and the United Air Lines Maintenance Base at San Francisco International Airport. If this application is granted, Ibold will serve five of the San Jose-Sunnyvale points and Bowen will serve five of them. In addition, Bowen would serve one new point for a total of six service points in the San Jose area.

As noted, applicants have been operating as a passenger stage corporation since 1979. Further, Ibold holds a separate, temporary certificate of public convenience and necessity to operate a similar service between San Jose and United (PSC-1161 issued under the Commission's expedited application procedure for new

commuter bus routes, by D.92904 dated April 7, 1981 in A.60279). Applicants' financial statement shows Bowen's net worth at \$60,000 and Ibold's at \$140,000. Each will have operating equipment after the dissolution of their partnership.

The application was listed on the Commission's Daily Calendar and applicants served copies on interested parties. The Commission's Transportation Division staff has reviewed the application and recommends that in the absence of protest or request for public hearing, it be granted by ex parte order. No protest or request for hearing has been received. A public hearing is not necessary.

Findings of Fact

1. Each applicant has the experience, facilities, equipment, and financial ability to operate the subject passenger stage services.
2. It is in the public interest to ensure the continued operation authorized under the certificate. Applicants will continue to operate in a manner satisfying the public need for transportation.

Conclusion of Law

The proposed dissolution of partnership 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. Within 90 days after the effective date of this order, Gary R. Bowen and Ronald E. Ibold may dissolve their partnership and transfer the operative rights specified in the application.

2. Each applicant shall:
 - a. File with the Transportation Division written acceptance of the certificate and a copy of the dissolution of partnership within 30 days after dissolution of partnership.
 - b. Amend or reissue 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 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.

A.60204 T/ctb "

3. If the dissolution of partnership is completed, on the effective date of the tariffs, a certificate of public convenience and necessity is granted to Gary R. Bowen and Ronald E. Ibold, authorizing each of them to operate as a passenger stage corporation, as defined in PU Code Section 226, between the points and over the routes set forth in Appendixes A and B.

4. Upon the issuance of certificates as provided in the preceding ordering paragraph, the certificate of public convenience and necessity granted by D.91083 in A.59133 is hereby cancelled. ✓

This order becomes effective 30 days from today.

Dated FEB 4 1982, at San Francisco, California.

JOHN E. BRYSON

President

RICHARD D. GRAVELLE

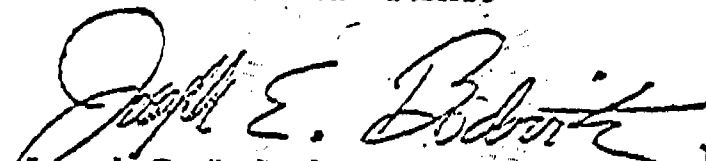
LEONARD M. CRIMES, JR.

VICTOR CALVO

PRISCILLA C. GREW

Commissioners

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


Joseph E. Bodovitz, Executive Director

T/ctb

Appendix A

Gary R. Bowen
Doing Business As
EAST VALLEY LINES

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC - 1047

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

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.

Supersedes certificate of public convenience and
necessity issued as Appendix A to Decision 91083 in Application
59133.

Issued under authority of Decision 82 02 025, dated FEB - 4 1982,
of the Public Utilities Commission of the State of California, in
Application 60204.

Appendix A

Gary R. Bowen
Doing Business As
EAST VALLEY LINES
(PSC-1047)

Original Page 1

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

Gary R. Bowen, doing business as East Valley Lines, by the certificate of public convenience and necessity to operate as a passenger stage corporation granted by the decision noted in the margin, is authorized to transport passengers between the United Airlines Maintenance Base at San Francisco International Airport, on the one hand, and the points described, on the other hand, 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 passengers destined to or originating at the United Airlines Maintenance Base shall be transported.
- b. Service will be operated at times necessary to meet employees' shift needs on regular working days.
- c. Service will not be operated during strikes or other work shutdowns at the Maintenance Base.
- d. Pick up and discharge of passengers will be limited to the specific points described and to the day shift only.

The route traversed during pick up at the beginning of the work shift will be traveled in reverse at the end of the work shift.

Issued by California Public Utilities Commission.

Decision FEB - 4 1982, Application 60204.

T/ctb

Appendix A

Gary R. Bowen
Doing Business As
EAST VALLEY LINES
(PSC-1047)

Original Page 2

SECTION 2. DESCRIPTION OF POINTS SERVED.

Service shall be operated between the United Airlines Maintenance Base at San Francisco International Airport and the following points:

Day Shift Only

Monterey & Senter, San Jose
Aborn & Kettman, San Jose
Quimby & White, San Jose
White at Mt. Pleasant, San Jose
Story & White, San Jose
White & McKee, San Jose

Issued by California Public Utilities Commission.

Decision FEB - 4 1982, Application 60204.

T/ctb

Appendix B

Ronald E. Ibold
Doing Business As
BLOSSOM VALLEY COMMUTE

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC - 1161

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

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.

82 02 025 FEB - 4 1982
Issued under authority of Decision _____, dated _____,
of the Public Utilities Commission of the State of California, in
Application 60204.

Appendix B

Ronald E. Ibold
Doing Business As
BLOSSOM VALLEY COMMUTE
(PSC-1161)

Original Page 1

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

Ronald E. Ibold, doing business as Blossom Valley Commute, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers between the United Airlines Maintenance Base at San Francisco International Airport, on the one hand, and the points described, on the other hand, 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 passengers destined to or originating at the United Airlines Maintenance Base shall be transported.
- b. Service will be operated at times necessary to meet employees' shift needs on regular working days.
- c. Service will not be operated during strikes or other work shutdowns at the Maintenance Base.
- d. Pick up and discharge of passengers will be limited to the specific points described and to the day shift only.

The route traversed during pick up at the beginning of the work shift will be traveled in reverse at the end of the work shift.

Issued by California Public Utilities Commission.

Decision 82 02 025, Application 60204.

T/ctb

Appendix B

Ronald E. Ibold
Doing Business As
BLOSSOM VALLEY COMMUTE
(PSC-1161)

Original Page 2

SECTION 2. DESCRIPTION OF POINTS SERVED.

Service shall be operated between the United Airlines Maintenance Base at San Francisco International Airport and the following points:

Day Shift Only

McLaughlin & Loupe, San Jose
McLaughlin & Bellingham, San Jose
McLaughlin & Lago Court, San Jose
Tully & King, San Jose
Lakewood Drive & Lawrence Expressway,
Sunnyvale

Issued by California Public Utilities Commission.

82 02 025

Decision _____, Application 60204.