

T/ctb

Decision S2 07 1CS JUL 21 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application  
of COMMUTER BUS LINES, INC. for  
authority to extend its Santa  
Anita Race Track service to  
include Santa Ana, et al.

Application 59253  
(Filed November 2, 1979)

SUPPLEMENTAL ORDER

By Decision (D.) 91389, dated March 4, 1980 in Application (A.) 59253, Douglas Bus Lines, Inc. (applicant), doing business as Commuter Bus Lines, was granted authority to extend its certificate of public convenience and necessity to operate as a passenger stage corporation between Seal Beach Leisure World, Santa Ana, Anaheim, Buena Park, Norwalk, on the one hand, and Santa Anita Race Track, on the other hand.

In Ordering Paragraph 3(b) of D.91389, applicant was required to file tariffs and timetables in triplicate not later than July 2, 1980. The Commission staff reminded applicant of this fact in its letter of March 7, 1980. Subsequently, the staff sent two other letters dated June 23 and August 12, 1980 stating that if applicant failed to file the required documents the Commission staff would recommend revocation of the subject authority. Staff further stated that "Should you have any questions on these matters, you may telephone the above listed number or write to us." No response or filings of the required documents have been received. Therefore, by D.92332, dated October 22, 1980, the Commission rescinded D.91389.

On December 22, 1980 Commuter Bus Lines, Inc. filed, in A.59253, a Petition to Set Aside D.92332. In this filing, applicant notes that it neglected to file the timetable and tariff as required by D.91389 and, for this reason, the Commission rescinded that decision. Applicant states that such failure to file the required documents was related to the fact that the subject service is seasonal and that applicant was looking to the next effective date of the seasonal service as the time for making timetables and tariffs effective. In its filing, applicant has attached proposed timetable and tariff filings.

The application was listed on the Commission's Daily Calendar. 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. The requested authority was originally granted to applicant in D.91389.
2. D.91389 was rescinded by D.92332, due to applicant's failure to comply with provisions of D.91389.
3. Applicant has reapplied for the authority and intends to operate it.
4. Public convenience and necessity require the proposed service; the following order should be effective today because there is a need for the service.
5. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusion of Law

Public convenience and necessity have been demonstrated and the application should be granted. 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.

IT IS ORDERED that:

1. Decision 92332 is rescinded.
2. 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 Section 226, between certain points as described in Second Revised Page 2 and Second Revised Page 4 of Appendix PSC-453 (Part H).
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.
  - c. State in its tariffs and timetables when the service will start; allow at least 10 days' notice to the Commission; make timetables and tariffs effective 10 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.

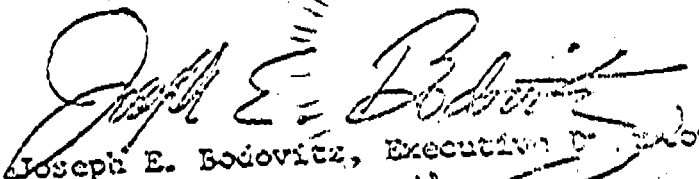
This order is effective today.

Dated JUL 21 1982, at San Francisco, California.

JOHN E. BRYSON  
President  
RICHARD D. GRAVELLE  
VICTOR CALVO  
PRISCILLA C. CREW  
Commissioners

Commissioner Leonard M. Grimes, Jr.,  
being necessarily absent, did not  
participate.

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

  
Joseph E. Bodovitz, Executive Director

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

Commuter Bus Lines, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers (1) from any point within the San Bernardino-Riverside Service Area and from points over and along \*Route 1 named in Section 3 to Santa Anita Race Track and return, and (2) from any point within the Los Angeles-Irvine Service Area to any point within the Irvine Industrial Area and return, subject to the following conditions and restrictions:

- (a) Current timetables shall be filed with the Commission to show stops and service in effect at any time. Timetable filings shall clearly delineate any changes in bus stops, changes in scheduled departure times, or suspension of service.
- (b) Service from Los Angeles-Irvine Service Area to Irvine Industrial Area and return shall be established upon the prior reservation and payment of 30 weekly fares per bus.
- (c) Service from Los Angeles-Irvine Service Area to Irvine Industrial Area and return may be discontinued when the average passenger load for four consecutive weeks is fewer than 20 weekly fares per bus.
- (d) All passengers from Los Angeles-Irvine Service Area to Irvine Industrial Area and return shall be commuters traveling to or from work or job applicants seeking work within the Irvine Industrial Area.
- (e) Weekly round-trip transportation from Los Angeles-Irvine Industrial Area is based on a five-day work week.
- (f) Service from San Bernardino-Riverside Service Area and over\* Route 1 to Santa Anita Race Track and return may be operated on racing days only.

Issued by California Public Utilities Commission.

Added by Decision 82 07 1CS, Application 59253.

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Appendix PSC-453  
(PART H)

COMMUTER BUS LINES, INC.

First Revised Page 4  
Cancels  
Original Page 4

SECTION 3. ROUTE DESCRIPTION.

Route 1 - Seal Beach-Santa Anita Park Race Track

Commencing from the main gate of Seal Beach Leisure World, located on Seal Beach Boulevard, thence along Seal Beach Boulevard, San Diego Freeway, Main Street (Santa Ana), First Street, Sycamore Street, 17th Street, Main Street, Santa Ana Freeway, Katella Avenue, Katella Way (Anaheim-Disneyland Depot), Katella Avenue, Santa Ana Freeway, Manchester Boulevard (Buena Park), Santa Ana Freeway, Firestone Boulevard (Norwalk), San Antonio Boulevard, Santa Ana Freeway, San Gabriel River Freeway, Foothill Freeway, Santa Anita Avenue, Santa Clara Street, and Huntington Drive to the Santa Anita Park Race Track. Return in the reverse direction.

Issued by California Public Utilities Commission.

82 07 108

Decision \_\_\_\_\_, Application 59253.