

Decision S2 OS 105 AUG 18 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of Gary R. Bowen doing business )  
as EAST VALLEY LINES to transfer )  
a Certificate of Public Convenience )  
and Necessity to Ronald E. Ibold )  
who will continue to provide )  
service as BLOSSOM VALLEY COMMUTE. )

Application 82-04-09  
(Filed April 2, 1982)

O P I N I O N

By this application, Gary R. Bowen (East Valley), doing business as (dba) East Valley Lines, and Ronald E. Ibold (Blossom Valley), dba Blossom Valley Commute, request authority under Public Utilities (PU) Code § 851 to carry out their agreement to transfer East Valley's certificate of public convenience and necessity to operate as a passenger stage corporation to Blossom Valley. East Valley has a certificate to operate as a passenger stage corporation between six points in San Jose and United Airlines Maintenance Base, San Francisco International Airport (United) under PSC-1047.<sup>1/</sup> Blossom Valley has a certificate to operate as a passenger stage corporation between five points in San Jose and one point in Sunnyvale, on the one hand, and United, on the other hand, under PSC-1161.<sup>2/</sup>

1/ Decision (D.) 82-02-025 dated February 4, 1982 in Application (A.) 60204 granted PSC-1047 to operate between Monterey and Senter, Aborn and Kettman, Quimby and White, White and Mt. Pleasant, Story and White, and White and McKee in San Jose, on the one hand, and United, on the other hand.

2/ D.92904 dated April 4, 1981 in A.60279 granted PSC-1161 one-year temporary authority to operate between Blossom Hill and Cottle in San Jose and United. D.82-02-025 in A.60204 granted PSC-1161 to operate between McLaughlin and Loupe, McLaughlin and Bellingham, McLaughlin and Lago, and Tully and King in San Jose, and Lakewood and Lawrence in Sunnyvale, on the one hand, and United, on the other hand. No letter of acceptance, tariff, or timetable was filed as ordered in D.82-02-025.

After transfer, Blossom Valley proposes to provide day shift only service between United and the following San Jose points: Cottle and Blossom Hill, Monterey and Senter, McLaughlin and Capitol, King and Capitol, Aborn and Kettman, Quimby and White, White and Mt. Pleasant, Story and White, and White and McKee. Six points are under PSC-1047 and one point is under PSC-1161. Two points, McLaughlin and Capitol, and King and Capitol, in San Jose are not listed in either certificate. The route should be revised to include these two additional stops. White and Mt. Pleasant Roads do not intersect. It is assumed Rocky Mountain Drive, which connects the two parallel roads, is intended. The point should be changed to read: White Road and Rocky Mountain Drive.

Blossom Valley proposes to use a 1965 Flexible Suburban and will purchase or lease additional vehicles if needed.

Blossom Valley's balance sheet as of January 12, 1982 shows total assets of \$193,000 and a net worth of \$125,000. The balance sheet of East Valley as of December 31, 1981 shows total assets of \$11,800, no debt, and a net worth of \$11,800.

Notice of the filing of the application appeared in the Commission's Daily Calendar of April 7, 1982. A copy of the application was served upon three carriers, one transit system, United, and the City of San Jose. No protests have been received.

#### Findings of Fact

1. East Valley and Blossom Valley operate as passenger stage corporations under the jurisdiction of this Commission.
2. Transfer of East Valley's certificate to Blossom Valley would not be adverse to the public interest.
3. No protests have been received.
4. A public hearing is not necessary.
5. There is no known opposition and no reason to delay granting the authority requested.

Conclusions of Law

1. The proposed transfer is in the public interest and should be authorized.

2. The effective date of the following order should be the date of signature since there is no known opposition or reason to delay the request.

O R D E R

IT IS ORDERED that:

1. By December 31, 1982, Gary R. Bowen, doing business as (dba) East Valley Lines, may sell and transfer the operative rights specified in the application to Ronald E. Ibold, dba Blossom Valley Commute. The temporary authority granted in D.92904 is made permanent.

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.

3. If the transfer is completed, on the effective date of the tariffs a certificate of public convenience and necessity is granted to Ronald E. Ibold, dba Blossom Valley Commute, authorizing him to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in Appendix PSC-1161.

4. The certificates of public convenience and necessity granted to Gary R. Bowen, dba East Valley Lines, and Ronald E. Ibold, dba Blossom Valley Commute by D.82-02-025 are revoked on the effective date of the tariffs.

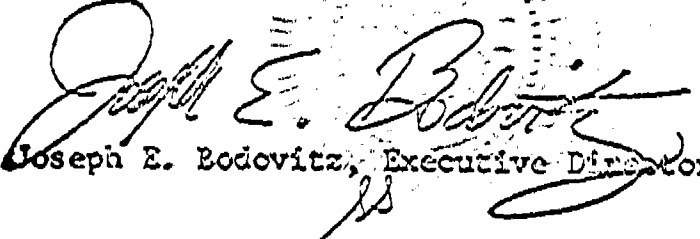
This order is effective today.

Dated     AUG 18 1982    , at San Francisco, California.

JOHN E. BRYSON  
President  
RICHARD D. GRAVELLE  
LEONARD M. GRIMES, JR.  
VICTOR CALVO  
Commissioners

Commissioner Friscilla C. Grow,  
being necessarily absent, did  
not participate

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

  
Joseph E. Bodovitz, Executive Director

T/ctb/bw

Appendix PSC-1161

Ronald E. Ibold

Original Title Page

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

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

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Issued under authority of Decision S2 08 105, dated AUG 18 1982,  
of the Public Utilities Commission of the State of California, in  
Application 82-04-09.

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 pickup 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 03 105, Application 82-04-09.

T/ctb

Appendix PSC 1161

Ronald E. Ibold

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 in San Jose:

Day Shift Only

Cottle & Blossom Hill

Monterey & Senter

McLaughlin & Capitol

King & Capitol

Aborn & Kettman

Quimby & White

White & Rocky Mountain<sup>1/</sup>

Story & White

White & McKee

McLaughlin & Loupe

McLaughlin & Bellingham

McLaughlin & Lago Court

Tully & King

and

Lakewood Drive & Lawrence Expressway,  
Sunnyvale

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<sup>1/</sup> Rocky Mountain Road extends Mt. Pleasant Road to White Road.

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