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Decision 93 05 085 MAY 18 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of SOUTHERN CALIFORNIA COMMUTER
BUS SERVICE, INC., for modification
of D.92326 to remove restrictions
not to transport ARCO employees
or to stop at ARCO Plaza.

Application 61088
(Filed November 30, 1981)

In the Matter of the Application
of SOUTHERN CALIFORNIA COMMUTER
BUS SERVICE, INC., to extend its
passenger stage commuter service
from Los Angeles and Orange Counties
to include the Los Angeles Civic
Center.

Application 59434
(Filed February 6, 1980)

ORDER OF REVOCATION

Commission Decision (D.)92326 dated October 22, 1980 amended the passenger stage certificate of Southern California Commuter Bus Service, Inc. (Com-Bus), PSC-943, to authorize Com-Bus to transport commuters over nine routes from various points in Orange and Los Angeles Counties to downtown Los Angeles. The nine routes in question are described on pages 21, 22, and 23 of Com-Bus' certificate. Copies of these pages are attached. Com-Bus never established service over these routes.

D.92326 established a number of restrictions on Com-Bus' service to downtown Los Angeles. These restrictions were listed on page 5-A of Com-Bus' certificate, a copy of which is attached. One of them required that Com-Bus provide no transportation to ARCO employees who qualified for the transportation program established between the Southern California Rapid Transit District (SCRTD) and ARCO. A second prohibited Com-Bus from loading or unloading passengers on any street adjacent to the ARCO Plaza.

On November 30, 1981 Com-Bus filed Application 61088, which requested that the Commission remove the above two restrictions from the certificate authorizing Com-Bus to serve downtown Los Angeles. In D.82-06-050 the Commission did so, on the condition that Com-Bus fulfill certain requirements. Ordering Paragraph 3 required Com-Bus to file with the Commission written approval from the City of Los Angeles Department of Transportation of its passenger loading and unloading locations and times on streets adjacent to ARCO Plaza. Ordering Paragraph 4 required Com-Bus to file a written acceptance of its revised certificate within 30 days of the effective date of the order, and to file tariffs and timetables and establish authorized service within 120 days of the effective date of the order.

On July 9, 1982 the Commission staff reminded Com-Bus, by a letter to its president, Ronald J. Hoffman, of the various filing requirements. The letter pointed out that written acceptance of the certificate would have to be filed on or before August 1, 1982 and tariffs and timetables not later than October 20, 1982. It also stated that unless Com-Bus complied with the ordering paragraphs of D.82-06-050 by filing the required documents and instituting service, the staff would recommend to the Commission that its certificate to serve downtown Los Angeles be revoked.

In a letter dated July 15, 1982 Hoffman formally accepted the certificate, but no further action in this matter followed. In a letter to Hoffman dated November 19, 1982 the staff once again informed Com-Bus that unless it complied by filing the required documents and by instituting service, its authority to serve downtown Los Angeles would be subject to revocation.

In a letter dated November 30, 1982 Hoffman replied by setting forth in detail the reasons why he had not started service

to ARCO Plaza. In brief, it was because he could not compete with SCRTD's low subsidized fares, and because even though he served the route during the 3½-day SCRTD strike, he did not have enough time during that period to demonstrate the quality and reliability of his service. On December 7, 1982 the staff wrote to Hoffman to suggest that in view of his difficulties in establishing service, he apply for an extension of time from the Commission. Hoffman did not answer this letter. On February 25, 1983 the staff wrote Hoffman once again telling him that he must either establish service or apply for an extension of time to do so and that if he failed to do either, the staff would recommend revocation of his operating authority. Hoffman again did not answer.

Findings of Fact

1. Com-Bus is a passenger stage corporation (PSC-943) authorized by Decision 92326 to transport commuters over nine routes from various points in Orange and Los Angeles Counties to downtown Los Angeles.

2. In Decision 82-06-050, the Commission removed certain restrictions from the Com-Bus certificate, with the provision that Com-Bus, among other requirements, file with the Commission written approval from the City of Los Angeles Department of Transportation of its passenger loading and unloading locations and times on streets adjacent to ARCO Plaza, and that Com-Bus file tariffs and timetables and establish service within 120 days of the date of the order. Com-Bus did not make the filings or establish service to downtown Los Angeles.

3. On December 7, 1982 and on February 25, 1983 the staff wrote to Com-Bus to inform the carrier that it should request an extension of time from the Commission to file tariffs and timetables and to establish service. The staff stated that if Com-Bus did not apply for an extension, it would recommend to the Commission that Com-Bus' certificate to serve downtown Los Angeles be revoked. Com-Bus did not answer either letter and did not apply for an extension of time.

4. Revocation of the certificate authorizing Com-Bus to serve downtown Los Angeles would not be adverse to the public interest.

Conclusions of Law

1. Com-Bus has not complied with Ordering Paragraphs 3 and 4 of Decision 82-06-050.

2. Com-Bus has not applied to the Commission for an extension of the time limits set by Decision 82-06-050.

3. Failure to comply with Commission orders constitutes good cause to revoke the Com-Bus certificate to serve downtown Los Angeles.

O R D E R

IT IS ORDERED that:

1. The certificate of public convenience and necessity granted to Southern California Commuter Bus Service, Inc. (PSC-943) to operate as a passenger stage corporation for the purpose of transporting commuters over nine routes from various points in Los Angeles and Orange counties to downtown Los Angeles, as authorized by D.92326 and amended by D.82-06-050, is revoked upon the effective date of this order.

2. Appendix A of Decision 83467 is amended as follows:

First Revised Page 5-A
Cancels
Original Page 5-A

First Revised Page 21
Cancels
Original Page 21

First Revised Page 22
Cancels
Original Page 22

First Revised Page 23
Cancels
Original Page 23

A.61088, A.59434 T/mb *

The Executive Director shall mail a certified copy of
this order to:

Ronald J. Hoffman, President
Southern California Commuter
Bus Service, Inc.
1900 Avenue of the Stars, Suite 900
Los Angeles, CA 90067

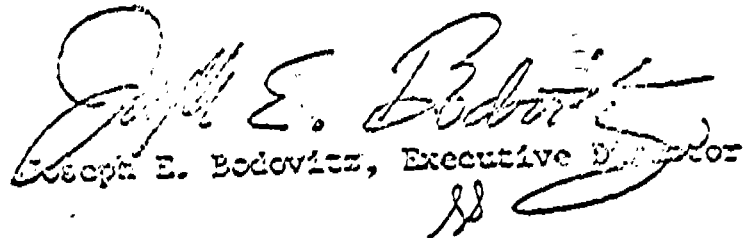
This order becomes effective 30 days from today.

Dated MAY 18 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
Commissioners

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


Joseph E. Bodovitz, Executive Director

T/bcy

Appendix A
(Dec. 83467)

SOUTHERN CALIFORNIA COMMUTER
BUS SERVICE, INC.
(PSC-943)

First Revised Page 5-A
Cancels
Original Page 5-A

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Issued by California Public Utilities Commission.

*Amended by Decision S3 05 035, Applications 59434 and 61088.

T/bcy

Appendix A
(Dec. 83467)

SOUTHERN CALIFORNIA COMMUTER
BUS SERVICE, INC.
(PSC-943)

First Revised Page 21
Cancels
Original Page 21

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Issued by California Public Utilities Commission.

*Amended by Decision 83 05 035, Applications 59434 and 61088.

T/bcy

Appendix A
(Dec. 83467)

SOUTHERN CALIFORNIA COMMUTER
BUS SERVICE, INC.
(PSC-943)

First Revised Page 22
Cancels
Original Page 22

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Issued by California Public Utilities Commission.

*Amended by Decision 83 05 035, Applications 59434 and 61088.

T/bcy

Appendix A
(Dec. 83467)

SOUTHERN CALIFORNIA COMMUTER
BUS SERVICE, INC.
(PSC-943)

First Revised Page 23
Cancels
Original Page 23

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Issued by California Public Utilities Commission.

*Amended by Decision 83 05 035, Applications 59434 and 61088.

3. Certain points in Los Angeles and Orange Counties on the one hand, and Downtown Los Angeles on the other hand, as set forth in Routes CC 501, CC 503, CC 504, CC 505-1, CC 505-2, CC 507, CC 508, CC 509, and CC 511 hereinafter described subject to the following provisions:

- a. Routes shall be run for a minimum of 30 passengers using a 38-passenger (or greater) bus, and for a minimum of 10 passengers using a 13-passenger (or greater) minibus.
- b. Transportation shall be limited to employees working in Downtown Los Angeles.
- c. No transportation shall be provided to ARCO employees who qualify for the transportation program established between the SCRTD and ARCO.
- d. No passengers shall be loaded or unloaded on any street adjacent to the ARCO Plaza.
- e. When route descriptions are given in one direction, they apply in either direction unless otherwise indicated.
- f. All transportation of passengers shall originate at the pickup points hereinafter specified and shall be destined to Downtown Los Angeles, which is defined by the area bounded on the north by the Hollywood and Santa Ana Freeways, on the west by Western Avenue, on the south by the Santa Monica Freeway, and on the east by the Santa Ana Freeway.

Issued by the California Public Utilities Commission.

Decision No. 92326, Application No. 59434.

SECTION 2. ROUTE DESCRIPTIONS

ROUTE CC 501 BREA-FULLERTON-LA MIRADA

Commencing on Harbor Boulevard and Orangefair Avenue where passengers are to be picked up; then to Valencia Mesa and Sunnycrest Drive where passengers are to be picked up; then to La Mirada Center where passengers are to be picked up; then north on I5 to Downtown Los Angeles where passengers are to be discharged; and return.

ROUTE CC 503 HUNTINGTON BEACH

Commencing at Huntington Beach Shopping Center at Beach Boulevard and Edinger Avenue where passengers are to be picked up; then direct to Downtown Los Angeles where passengers are to be discharged; and return.

ROUTE CC 504 THOUSAND OAKS (WESTLAKE VILLAGE)

Commencing at Agoura Road and Lindero Canyon Road where passengers are to be picked up; then west on Agoura Road to Westlake Boulevard where passengers are to be picked up; then north on Westlake Boulevard to Townsgate Road where passengers are to be picked up; then east on the Ventura Freeway to I5 south to Downtown Los Angeles where passengers are to be discharged; and return.

ROUTE CC 505-1 WOODLAND HILLS

Commencing at Mulholland Drive and Avenue San Luis where passengers are to be picked up; then to Ventura Boulevard and Topanga Canyon Boulevard where passengers are to be picked up; then to Ventura Boulevard and Corbin Avenue where passengers are to be picked up; then to Downtown Los Angeles where passengers are to be discharged; and return.

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Decision No. 92326, Application No. 59434.

ROUTE CC 505-2 CANOGA PARK - WOODLAND HILLS - TARZANA

Commencing at Victory Boulevard and Platt Avenue where passengers are to be picked up; then east on Victory to Fallbrook Avenue where passengers are to be picked up; then east on Victory to Shoup Avenue where passengers are to be picked up; then east on Victory south on Topanga Canyon Boulevard to Ventura Boulevard where passengers are to be picked up; then east on Ventura Boulevard to Reseda Boulevard where passengers are to be picked up; then east on the Ventura Freeway; south on I5 to Downtown Los Angeles where passengers are to be discharged; and return.

ROUTE CC 507 SIERRA MADRE - ARCADIA - SAN MARINO - SAN GABRIEL

Commencing at Santa Anita Avenue and Foothill Boulevard where passengers are to be picked up; then south on Santa Anita Avenue to Santa Clara Street; west to Huntington Drive where passengers are to be picked up; then west on Huntington Drive to Baldwin Avenue where passengers are to be picked up; then south on Del Mar Avenue to Hermosa Drive where passengers are to be picked up; then west on the San Bernardino Freeway to Downtown Los Angeles where passengers are to be discharged; and return.

ROUTE CC 508 HACIENDA HEIGHTS - WHITTIER

Commencing at Russell Street and Valley Home Avenue; where passengers are to be picked up; then to Valley Home Avenue and Whittier Boulevard where passengers are to be picked up; then west on Whittier Boulevard to Colima Road where passengers are to be picked up; then north on Colima Road to Hacienda Boulevard where passengers are to be picked up; then north on Hacienda Boulevard to Gale Avenue where passengers are to be picked up; then west on the Pomona Freeway to Downtown Los Angeles where passengers are to be discharged; and return.

Issued by the California Public Utilities Commission.

Decision No. 92326, Application No. 59434.

ROUTE CC 509 HARBOR CITY - LOMITA - PALOS VERDES - TORRANCE

Commencing at Crenshaw Boulevard and Crest Road where passengers are to be picked up; then west on Crest Road to Hawthorne Boulevard where passengers are to be picked up; then north on Hawthorne Boulevard to Seamount Drive where passengers are to be picked up; north on Hawthorne Boulevard to Ridgeway Drive where passengers are to be picked up; then east to Crossfield Drive and Indian Peak Road where passengers are to be picked up; then north on Hawthorne Boulevard to Palos Verdes Drive where passengers are to be picked up; then north on Hawthorne Boulevard to Pacific Coast Highway where passengers are to be picked up; then north on Hawthorne Boulevard to 226th Street where passengers are to be picked up; then north on Hawthorne Boulevard to Carson Street where passengers are to be picked up; then north on Hawthorne Boulevard to Artesia Boulevard where passengers are to be picked up; then to Downtown Los Angeles where passengers are to be discharged; and return.

ROUTE CC 511 CHATSWORTH - GRANADA HILLS - MISSION HILLS

Commencing at Hiawatha Street and Mason Avenue where passengers are to be picked up; then south on Mason Avenue; east on Devonshire Street to Reseda Boulevard where passengers are to be picked up; then east on Devonshire Street to Balboa Boulevard where passengers are to be picked up; then east on Devonshire Street to Sepulveda Boulevard where passengers are to be picked up; then south on I5 to Downtown Los Angeles where passengers are to be discharged; and return.

Issued by California Public Utilities Commission.

Decision No. 92326, Application No. 59434.