

Decision 83 06 104 JUN 29 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Ardella Cook, an individual,)
doing business as Desert Stage)
Lines, to transfer certain)
property and a Certificate of)
Public Convenience and Necessity)
to Desert Stage Lines, a)
California Corporation to acquire,)
pursuant to Section 851, et Seq.,)
of the California Public Utilities)
Code.)

Application 82-10-33
(Filed October 15, 1982;
amended December 23, 1982)

O P I N I O N

Ardella Cook, doing business as Desert Stage Lines, seeks authority to transfer her passenger stage certificate of public convenience and necessity and certain operating property to Desert Stage Lines, Inc., a California Corporation.

Ardella Cook is engaged in the business of carrying passengers and their baggage from Twenty-Nine Palms Marine Corps Base to Palm Springs, San Diego, Los Angeles, and Victorville under the certificate of public convenience and necessity (PSC-927) granted by Decision (D.) 88561, dated March 7, 1978, and modified by D.93359. She also provides charter-party service under the authority of certificates TCP-145A and TCP-35B. She also has certain interstate operating authority granted by the Interstate Commerce Commission. She desires authority to transfer the passenger stage certificate and related assets to Desert Stage Lines, Inc., a California Corporation incorporated on April 27, 1981, and authority for the corporation to issue stock.

The charter-party authorities were transferred from Ardella Cook to Desert Stage Lines, Inc. by Commission Resolution PE-303, Schedule 177, dated September 18, 1981. At that time, the motor vehicles and certain other assets and liabilities were transferred to the corporation in exchange for stock.

Mrs. Cook was not aware of the requirements of the Public Utilities Code requiring Commission authority to transfer utility property and issue stock. When she was so advised, this application was filed.

The amendment to the application seeks authority for Desert Stage Lines, Inc. to issue 5,000 shares of par value common stock at a stated value of \$6 per share to Ardella I. Cook for equity in motor vehicles, other property, and cancellation of indebtedness.

Findings of Fact

1. The proposed transactions would not be adverse to the public interest.
2. The proposed stock issue is for proper purposes.
3. The money, property or labor to be procured or paid for by the issue of the stock authorized here is reasonably required for the purposes specified, which purposes are not in whole or in part, reasonably chargeable to operating expenses or to income.

Conclusion of Law

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

The order which follows will provide for, in the event the transfer is completed, the revocation of the certificate presently held by Ardella Cook and the issuance of a certificate in appendix form to Desert Stage Lines, Inc.

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.

This authorization is not a finding of the value of the rights and properties to be transferred.

O R D E R

IT IS ORDERED that:

1. By August 18, 1983, Ardella Cook may sell and transfer the operative rights (and property) specified in the application to Desert Stage Lines, Inc.

2. Desert Stage Lines, Inc. 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. 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 Desert Stage Lines, Inc., a corporation, authorizing it to operate as a passenger stage corporation, as defined in PU Code Section 226, between the points and over the routes set forth in Appendix PSC-927, to transport persons, baggage, and express.

4. The certificate of public convenience and necessity granted by Decision 88561 and modified by Decision 93359 is revoked on the effective date of the tariffs.

5. The authority granted by this order to issue stock will become effective when the issuer pays \$60, set by PU Code Section 1904.1. In all other respects this order becomes effective 30 days from today.

Dated JUN 29 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

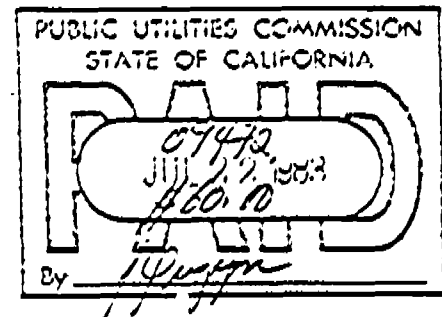
VICTOR CALVO

PRISCILLA C. GREW

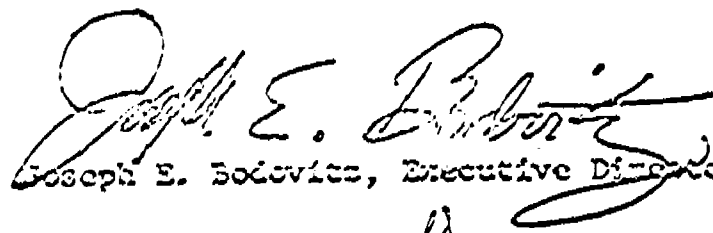
DONALD VIAL

WILLIAM T. BAGLEY

Commissioners



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


Joseph E. Bolovitz, Executive Director

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Appendix PSC-927 DESERT STAGE LINES, INC. Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC - 927

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.

Under authority of Decision 83 96 164, dated JUN 29 1983
of the Public Utilities Commission of the State of California, in
Application 82-10-33.

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Issued by California Public Utilities Commission.

Decision 83 96 164, Application 82-10-33.

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

This certificate supersedes all operative authority previously granted to Ardella Cook, doing business as Desert Stage Lines, or her predecessors.

Desert Stage Lines, Inc., a corporation by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation to transport passengers, baggage, and express between the City of Palm Springs (Airport), San Diego, Victorville, and Los Angeles, on the one hand, and Twentynine Palms Marine Corps Base and intermediate points, on the other hand, over and along the routes described, subject, however, to the authority of this Commission to change or modify the routes at any time and subject to the following provisions and restrictions:

- a. No passengers, baggage or property shall be transported where origin and destination are both between the intersection of Palm Drive and Vista Chino, in the City of Palm Springs, on the one hand, and the Palm Springs Airport, on the other hand, both points inclusive, including intermediate points.
- b. Motor vehicles may be turned at termini or intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections, in accordance with local traffic regulations.
- c. When route descriptions are given in one direction, they apply to operation in either direction, unless otherwise indicated.

Issued by California Public Utilities Commission.

Decision 83 06 164, Application 82-10-33.

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,
AND SPECIFICATIONS. (Continued)

- d. Carrier shall not pick up or discharge passengers at intermediate points between junction Interstate Highway 10 and California Highway 62, on the one hand, and San Diego or Los Angeles, on the other hand.
- e. The transportation of baggage or express shall be on passenger-carrying vehicles and shall be incidental to the transportation of passengers and limited to a weight of not more than 100 pounds per shipment.

Issued by California Public Utilities Commission.

Decision 83 66 104, Application 82-10-33.

SECTION 2. ROUTE DESCRIPTIONS.

Desert Stage Lines, Inc. is authorized to conduct passenger stage operations over and along the following described streets and highways:

Route No. 1 - Palm Springs Airport - Twentynine Palms USMC Base

Beginning at Palm Springs Airport, in the City of Palm Springs, via Tahquitz - McCallum Way, Indian Avenue, Vista Chino, Palm Drive (Desert Hot Springs), Pierson Boulevard, State Highway 62 through Morongo Valley, Yucca Valley and Joshu Tree to Adobe Road (Twentynine Palms), thence Adobe Road and Condor Road to entrance to Twentynine Palms Marine Corps Base in San Bernardino County.

Returning via reverse of going route to Palm Springs, thence via Vista Chino, Palm Canyon Drive, Amado Road, Indian Avenue, Alejo Road, Sunrise Way, Tahquitz McCallum Way to Palm Springs Airport.

Route No. 2 - Twentynine Palms USMC Base - San Diego

Beginning at Twentynine Palms Marine Corps Base then via Condor Road, Adobe Road, Twentynine Palms Highway (Highway 62), Interstate Highway 10, State Highway 60, Interstate Highway 15-E, and Interstate Highway 15 to San Diego.

Issued by California Public Utilities Commission.

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Appendix PSC-927

DESERT STAGE LINES, INC.

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SECTION 2. ROUTE DESCRIPTIONS. (Continued)

Route No. 3 - Twentynine Palms USMC Base - Los Angeles

Beginning at Twentynine Palms Marine Corps Base south on the via Condor Road, Adobe Road, Twentynine Palms Highway (Highway 62) and Interstate Highway 10 (San Bernardino Freeway) to Los Angeles, leaving at Spring Street off ramp; Spring Street to 7th Street, Los Angeles Street to the Greyhound-RTD Terminal between 6th and 7th Streets on Los Angeles Street.

Route No. 4 - Twentynine Palms USMC Base - Victorville

Beginning at Twentynine Palms Marine Corps Base then via Condor Road, Adobe Road, Highway 62 (Twentynine Palms Highway), State Highway 247, and State Highway 18, to Victorville.

Issued by California Public Utilities Commission.

Decision 83 66 164, Application 82-10-33.