

ORIGINAL

Decision 83 07 032 JUL 20 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of BRUSH EMSLIE
ENTERPRISES, a partnership, for
a certificate of public convenience
and necessity to operate a passen-
ger stage service from the Western
San Gabriel Valley, Los Angeles
County, to the Huntington State
Beach, Orange County.

Application 83-04-51
(Filed April 19, 1983)

O P I N I O N

Applicants Douglas G. Emslie and Daniel H. Brush, a partnership doing business as Brush Emslie Enterprises also known as Bee Line, request a certificate of public convenience and necessity to operate as a passenger stage corporation to transport passengers from the intersection of Huntington Drive and Rosemead Boulevard in the San Gabriel Valley of Los Angeles County to the Huntington State Beach in Orange County and return. Applicants propose to perform this service seven days per week, three times a day, in each direction, beginning in April and ending in October each year except that the service will operate only on weekends when public schools are in regular session. Applicants plan to lease three 48- to 57-passenger buses with a fourth bus in reserve. Only round-trip fares will be sold at a cost of \$6.

Applicants state that they have long-standing expertise in "Demand Response Paratransit (Medical) and total fleet logistics and maintenance".

Notice of filing of the application appeared on the Commission's Daily Transportation Calendar of April 27, 1983 making direct notification to potential competitors or protestants unnecessary under Rule 15.1, Rules of Practice and Procedure. No protests have been filed. Therefore, a public hearing is not necessary.

Applicants state that there is no comparable method of traveling between the points in question and that their service is specifically aimed at serving youths between the ages of 12 and 18 who have limited financial or transportation resources. Applicants also state that this service will have a positive impact on the environment in that it will reduce vehicle miles traveled by private automobiles, result in energy savings and conservation due to reduced automobile use, reduce congestion and noise along the proposed routes, increase safety in that fewer inexperienced teenaged drivers and fewer teenaged hitchhikers will be on these routes, and reduce parking congestion at Huntington Beach.

In addition, applicants claim they have sufficient financial resources to institute and operate the proposed service. The balance sheet attached to the application as Exhibit G shows total liabilities of \$48,980 and total assets of \$38,695. The liabilities include a partnership contribution of \$12,000. The balance sheet is dated April 11, 1983. It tends to support applicants' allegation of financial fitness.

Findings of Fact

1. Applicants have the necessary equipment, ability, experience, and financial resources to perform the proposed service.

2. Applicants' proposed service contemplates the use of three leased 48- to 57-passenger buses plus a reserve bus for transporting passengers between one point in the western San Gabriel Valley, Los Angeles County, to Huntington State Beach in Orange County, and return.

3. 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 require the requested authority should be issued.

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. A certificate of public convenience and necessity is granted to Douglas G. Emslie and Daniel H. Brush, a partnership, authorizing 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 Appendix PSC-1304 to transport persons.

2. Applicants shall:

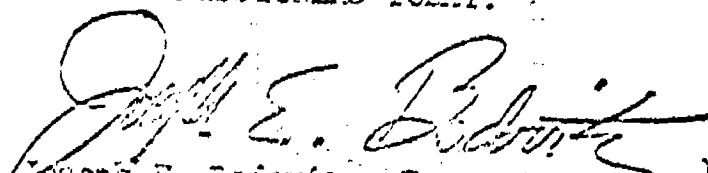
- a. File a written acceptance of this certificate within 30 days after this order is effective.
- b. Establish the authorized service and file tariffs and timetables within 120 days after this order is effective.
- c. State in their tariffs and timetables when service will start; allow at least 10 days' notice to the Commission; and 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.

Because an unmet need for this service presently exists, this order is effective today.

Dated JUL 20 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. CREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

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


Joseph E. Bodovitz, Executive Director

Appendix PSC-1304

DOUGLAS G. EMSLIE
AND
DANIEL H. BRUSH

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-1304

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.

Issued under authority of Decision 83 07 032,
dated JUL 20 1983, of the Public Utilities Commission
of the State of California in Application 83-04-51.

Appendix PSC-1304

DOUGLAS G. EMSLIE
AND
DANIEL H. BRUSH

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Issued by California Public Utilities Commission.

Decision 83 07 032, Application 83-04-51.

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

Douglas G. Emslie and Daniel H. Brush, by the certificate of public convenience and necessity granted by the decision noted in the margin, are authorized to transport passengers, between points in West San Gabriel Valley, Los Angeles County and Huntington State Beach, Orange County, and certain intermediate and adjacent territories 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:

- a. Motor vehicles may be turned at termini and 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.
- b. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.

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Appendix PSC-1304

DOUGLAS G. EMSLIE
AND
DANIEL H. BRUSH

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SECTION 2. ROUTE DESCRIPTION.

Beginning at Rosemead Boulevard and Huntington Drive in West San Gabriel Valley area of Los Angeles County, then via San Gabriel River Freeway (I-605), San Diego Freeway (I-405) Beach Boulevard (Rte 39), Pacific Coast Highway (Rte 1) to Huntington State Beach in Orange County.

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