

Decision No. 86517

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)

CONTINENTAL TRAILWAYS, INC., a cor-)
 poration, for an extended and re-)
 stated certificate of public conveni-)
 ence and necessity, as a passenger)
 stage corporation, in lieu of all)
 other certificates of public conveni-)
 ence and necessity heretofore issued)
 to it, between various points and)
 over various routes in the State of)
 California, pursuant to Sections 1031-)
 1036 of the California Public Utili-)
 ties Code.)

Application No. 54272

In the Matter of the Application of)
 CONTINENTAL PACIFIC LINES, a corpora-)
 tion, for authority to abandon)
 service between the junction of)
 Interstate Highway 80 with California)
 State Highway 113 near Davis, and)
 Sacramento, California, and for a)
 restated certificate of public)
 convenience and necessity as a)
 passenger stage corporation, in lieu)
 of all other certificates of public)
 convenience and necessity, between)
 various points and over various)
 routes in the State of California.)

Application No. 55211

O P I N I O N

Continental Trailways, Inc., by Decision 82798, dated April 30, 1974, in Application 54272 was issued an in-lieu Certificate of Public Convenience and Necessity to operate as a passenger stage corporation over the routes and between points more specifically set forth in Appendix A, attached thereto.

By Decision 84065 dated February 11, 1975, in Application 55211, Continental Pacific Lines, a corporation, was issued a restated Certificate of Public Convenience and Necessity

to operate as a passenger stage corporation over the routes and between points as stated in Appendix A, attached thereto.

Continental Pacific Lines and Continental Trailways, Inc., filed Application No. MC-F 12430 with the Interstate Commerce Commission on January 27, 1975 under Section 5 of the Interstate Commerce Act requesting authority to merge the operating rights and properties of Continental Pacific Lines into Continental Trailways, Inc. On April 21, 1975, the Interstate Commerce Commission approved the merger, and on November 26, 1975, granted a Certificate of Public Convenience and Necessity, No. MC 109780 (Sub 69), authorizing Continental Trailways, Inc. to engage in transportation in interstate or foreign commerce as a common carrier by motor vehicles over the merged routes.

Applicants have requested that the Commission authorize the transfer of similar intrastate operating authority.

After consideration, the Commission finds that the proposed transfer of the operating rights of Continental Pacific Lines to Continental Trailways, Inc. would not be adverse to the public interest and concludes that it should be authorized.

The order which follows will provide for the revocation of the certificates presently held by Continental Pacific Lines and Continental Trailways, Inc., and the issuance of a new certificate in appendix form to Continental Trailways, Inc.

Transferee is placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of business. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

O R D E R

IT IS ORDERED that:

1. On or before January 1, 1977, Continental Pacific Lines, a corporation, may transfer the operative rights described in Appendix A of Decision 84065 to the transferee, Continental Trailways, Inc.

2. Within thirty days after the transfer the transferee shall file with the Commission written acceptance of the certificate and an instrument of transfer.

3. Transferee shall amend or reissue the tariffs and timetables on file with the Commission, naming rates and rules governing the common carrier operations transferred to show that it has adopted or established, as its own, the rates and rules. The tariff and timetable filings shall be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and the public, and the effective date of the tariff and timetable filings shall be concurrent with the transfer. The tariff and timetable filings made pursuant to this order shall comply in all respects with the regulations governing the construction and filing of tariffs and timetables set forth in the Commission's General Orders 79- and 98-Series. Failure to comply with the provisions of General Orders 79- and 98-Series may result in a cancellation of the operating authority granted by this decision.

4. In the event the transfer authorized in Paragraph 1 is completed, effective concurrently with the effective date of the tariff and timetable filings required by Paragraph 3, a Certificate of Public Convenience and Necessity is granted to Continental Trailways, Inc. authorizing it to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, over the routes and between the points set forth in Appendix A, attached hereto and made a part hereof.


5. The certificates of public convenience and necessity granted by Decisions 82798 and 84065 are revoked effective concurrently with the effective date of the tariff and timetable filings required by Paragraph 3.

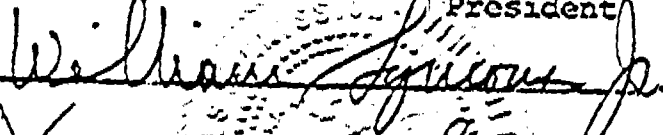
6. Transferee shall comply with the safety rules of the California Highway Patrol, the rules and regulations of the Commission's General Order 98-Series, and insurance requirements of the Commission's General Order 101-Series.


7. Transferee shall maintain its accounting records on a calendar year basis in conformance with the applicable Uniform System of Accounts or Chart of Accounts as prescribed or adopted by this Commission and shall file with the Commission, on or before March 31 of each year, an annual report of its operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

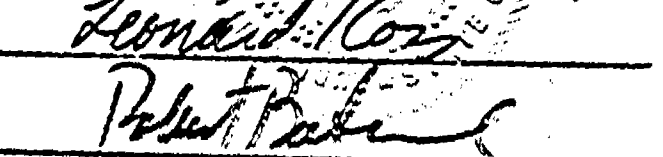
The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 13th day of OCTOBER, 1976.



President






Commissioners

VP

Appendix A

CONTINENTAL TRAILWAYS, INC.

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A
PASSENGER STAGE CORPORATION

Showing passenger stage operative rights, restrictions, limitations,
exceptions and privileges applicable thereto.

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 No. 86517
dated OCT 3 1976, of the Public Utilities Commission
of the State of California, in Applications 54272 and 55211.

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

The certificate hereinafter noted supersedes all operative authority heretofore granted to Continental Pacific Lines, a corporation, and Continental Trailways, Inc., or their predecessors.

Continental Trailways, Inc., by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin, is authorized to operate as a passenger stage corporation to transport passengers, their baggage and shipments of express (including newspapers) weighing 100 pounds or less, on passenger-carrying vehicles, between all points and places as hereinafter stated, and points intermediate thereto, over the routes hereinafter described as a consolidated and unified operation, subject, however, to the authority of this Commission to change or modify said routes at any time, and subject to the following conditions, rights and restrictions:

1. When route descriptions are given in one direction, they apply to operation in either direction or in one direction, unless otherwise indicated.
2. Shipments of express are not subject to the restrictions that apply to the transportation of passengers and their baggage as set forth herein, except as otherwise noted.

Issued by California Public Utilities Commission.

Decision No. 86517, Applications 54272 and 55211.

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

3. Passengers and their baggage shall not be transported locally between the following points:
- (a) Between San Francisco and Hayward and intermediate points.
 - (b) Between San Francisco and the junction of Interstate Highway 80 with California State Highway 113 near Davis, and intermediate points.
 - (c) Between Los Angeles and San Fernando and intermediate points.
 - (d) Between Los Angeles and San Bernardino and intermediate points over any routes.
 - (e) Between points in one restricted territory as designated and described in Restrictions (c) and (d) above, on the one hand, and points in another restricted territory as designated and described in said Restrictions (c) and (d).

Note: The term "locally" as used in connection with these restrictions does not apply to the movement of passengers and their baggage from points inside a restricted area to points outside that restricted area or to the movement of passengers and their baggage from points outside a restricted area to points inside said restricted area.

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

4. No intermediate points shall be served on California State Highway 60 between Los Angeles and junction California State Highway 60 with Interstate Highway 10 near Beaumont, except those between Pomona and Riverside, including Pomona and Riverside, and except as otherwise authorized on a route other than California State Highway 60.
5. Routes designated as "alternate routes" in this appendix are defined as routes which are in addition to the regular routes between the named termini, and are authorized for operating convenience, to be operated at the option of the company, provided, however, no service may be rendered to or from any intermediate point or points thereon.
6. Continental Trailways, Inc. is authorized to operate to and from the company stations or points of passenger pickup and discharge within each city, town or community into or through which an authorized highway route passes or reaches any portion thereof, unless otherwise specifically restricted or limited, and may utilize all available freeways, city streets and county roads as access roads to or from such company stations or points of passenger pickup or discharge.

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Decision No. 86517, Applications 54272 and 55211.

SECTION 2. ROUTE DESCRIPTIONS.

ROUTE GROUP 1 California - North-South

1.01 - Between California-Oregon State Line and Los Angeles:

From California-Oregon State Line over Interstate Highway 5 to Los Angeles, including the intermediate points of Red Bluff, Redding and Yreka.

1.02 - Between Sacramento and junction California State Highway 99 with Interstate Highway 5 near Wheeler Ridge:

From Sacramento over California State Highway 99 to junction with Interstate Highway 5 near Wheeler Ridge.

1.03 - Between San Francisco and junction Interstate Highway 580 with Interstate Highway 5 south of Tracy:

From San Francisco over the San Francisco-Oakland Bay Bridge to Oakland, thence over Interstate Highway 580 to its junction with Interstate Highway 5 south of Tracy.

1.04 - Between Oakland and junction Interstate Highway 580 with California State Highway 238 west of Castro Valley:

From Oakland over California State Highway 17 (Nimitz Freeway) and California State Highway 238 to its junction with Interstate Highway 580 immediately west of Castro Valley.

1.05 - Between junction Interstate Highway 205 with Interstate Highway 580 and junction Interstate Highway 205 with Interstate Highway 5:

From junction Interstate Highway 205 with Interstate Highway 580 over Interstate Highway 205 to junction with Interstate Highway 5, including service to Tracy by county roads and city streets.

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SECTION 2. ROUTE DESCRIPTIONS (Continued)

- 1.06 - Between junction Interstate Highway 5 with California State Highway 120 and junction California State Highway 120 with junction California State Highway 99 near Manteca:

From junction Interstate Highway 5 with California State Highway 120 over California State Highway 120 to junction with California State Highway 99 near Manteca.

- 1.07 - Between junction California State Highway 238 with Interstate Highway 580 west of Castro Valley and junction Castro Valley Boulevard with Interstate Highway 580:

From Interstate Highway 580 over California State Highway 238, "A" Street, Hayward, Redwood Road, Grove Way and Castro Valley Boulevard to its junction with Interstate Highway 580.

- 1.08 - Between Interstate Highway 580 and Parks Job Corps Training Center:

From Interstate Highway 580 over Daugherty Road to the main gate of Parks Job Corps Training Center.

- 1.09 - Between junction California State Highway 99 with California State Highway 198 and Tulare, via Visalia:

From California State Highway 99 over California State Highway 198 to Visalia, thence over California State Highway 63 and California State Highway 137 to Tulare.

- 1.10 - Between junction Interstate Highway 5 and California State Highway 170 and Los Angeles, via Hollywood Freeway:

From junction Interstate Highway 5 with California State Highway 170 over California State Highway 170 to junction U.S. Highway 101, thence over U.S. Highway 101 to Los Angeles.

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SECTION 2. ROUTE DESCRIPTIONS. (Continued)

- 1.11 - Between Modesto and junction California State Highway 132 with Interstate Highway 580:

From Modesto over California State Highway 132 to junction with Interstate Highway 580.

- 1.12 - Between junction California State Highway 152 with California State Highway 99 and junction California State Highway 152 with Interstate Highway 5:

From junction California State Highway 152 with California State Highway 99, near Chowchilla, over California State Highway 152 to junction Interstate Highway 5, to be operated as an alternate route.

- 1.13 - Between Interstate Highway 5 and San Fernando:

From junction Interstate Highway 5 and California State Highway 118, via California State Highway 118 to San Fernando.

- 1.14 - Between San Francisco and junction Interstate 80 with California State Highway 113 near Davis:

From San Francisco over Interstate Highway 80 to junction with California State Highway 113 near Davis, including the intermediate points of Oakland, Richmond, Vallejo and Fairfield. (See restriction.)

- 1.15 - Between junction Interstate Highway 80 with Interstate Highway 505 and junction Interstate Highway 505 with Interstate Highway 5:

From junction Interstate Highway 80 with Interstate Highway 505 near Vacaville, over Interstate Highway 505 to junction with Interstate Highway 5.

- 1.16 - Between Sacramento and Woodland:

From Sacramento over California State Highway 16 to junction with Interstate Highway 5 at Woodland.

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SECTION 2. ROUTE DESCRIPTIONS. (Continued)

1.17 - Between Davis and Woodland:

From junction California State Highway 113 with Interstate Highway 80 near Davis, over California State Highway 113 to junction Interstate Highway at Woodland.

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SECTION 2. ROUTE DESCRIPTIONS. (Continued)

ROUTE GROUP 2 Los Angeles Group

2.01 - Between Los Angeles and San Bernardino, via California State Highway 66:

From Los Angeles over city streets and Figueroa Street to junction Colorado Boulevard, thence over Colorado Boulevard to Highway 66, thence over California State Highway 66 to San Bernardino.

2.02 - Between junction Interstate Highway 15 with California State Highway 18 and Victorville:

From junction Interstate Highway 15 and California State Highway 18 over California State Highway 18 to Victorville.

2.03 - Between Riverside and California-Arizona State Line, via Needles:

From Riverside over Interstate Highway 15 to Barstow, thence over Interstate Highway 40 to California-Arizona State Line.

2.04 - Between Los Angeles and San Bernardino:

From Los Angeles over Interstate Highway 5 to junction with California State Highway 2 (Glendale Freeway), thence over California State Highway 2 (Glendale Freeway) to junction with California State Highway 134 (Colorado Freeway), thence over California State Highway 134 (Colorado Freeway) to junction with Interstate Highway 210 (Foothill Freeway), thence over Interstate Highway 210 (Foothill Freeway) to junction California State Highway 30 (Foothill Freeway), thence over California State Highway 30 (Foothill Freeway) to junction with Interstate Highway 15.

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SECTION 2. ROUTE DESCRIPTIONS. (Continued)

ROUTE GROUP 3 Los Angeles - East Group

- 3.01 - Between Los Angeles and California-Arizona State Line, via Blythe:
From Los Angeles over Interstate Highway 10 to the California-Arizona State Line.
- 3.02 - Between junction Interstate Highway 10 with California State Highway 71 and junction California State Highway 71 with California State Highway 60:
From junction Interstate Highway 10 with California State Highway 71 over California State Highway 71 to junction California State Highway 60.
- 3.03 - Between Los Angeles and junction California State Highway 60 with Interstate Highway 10 near Beaumont:
From Los Angeles over California State Highway 60 to junction with Interstate Highway 10 near Beaumont.
- 3.04 - Between Azusa and West Covina:
From Azusa over California State Highway 39 to West Covina.
- 3.05 - Between Azusa and Pomona:
From Azusa over Interstate Highway 210 to Pomona.

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