

ORIGINAL

Decision No. 86845

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of GREYHOUND LINES, INC., for) authority to provide Special Operations from San Diego to Coronado and south over California Highway 75.

Application No. 56330 (Filed March 11, 1976)

O P I N I O N

Greyhound Lines, Inc., a California corporation, is a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, and as such is engaged in the transportation of passengers, baggage, and express generally throughout the State of California pursuant to operating authorities duly issued therefor.

The operating authority of applicant is set forth in Appendix A of Decision No. 55893 dated December 3, 1967 rendered in Application No. 39394, by which a loose-leaf form of certificate of public convenience and necessity was issued. For the purpose of this application, reference is made to routes in Route Group 17 as set forth in Section I of said Appendix A, as well as to General Condition No. 9 entitled "Special Operations", as set forth in Section III of said Appendix A.

By this application, applicant seeks authority under Section 1031 et seq. of the Public Utilities Code to operate a passenger stage service in Special Operations for the transportation

of passengers and their baggage over the route described as follows:

17.27 - Between San Diego and Palm City:

From San Diego over the Coronado Bridge to Coronado, thence over California Highway 75 to the junction of California Highway 75 and Interstate Highway 5 (Palm City).

Service is authorized to be conducted in Special Operations only.

Applicant requests that the proposed operating authority be consolidated with the remainder of applicant's system and that such authority be incorporated in said Appendix A to Decision No. 55893, and become a part thereof, subject to applicable general conditions set forth in Section III thereof, particular reference being made to General Condition No. 9, "Special Operations".

In order that said Appendix A to Decision No. 55893 may be kept current, applicant proposes that there be issued Fourteenth Revised Page 58 in the form set forth in Exhibit 1, attached to the application.

A map showing the present operations in the concerned area so far as pertinent to this proposal and also showing the proposed route of operation by distinctive coloring is attached to the application and marked "Exhibit 2".

Applicant conducts all special operations under tariffs; and the rules and regulations provided with respect thereto are filed with the Commission.^{1/} These operations are conducted in non-scheduled service to accommodate groups moving over authorized routes of applicant between common points of origin and destination in instances where payment for the transportation is on an individual-fare basis.

^{1/} Local Passenger Tariff No. L-584-K, Cal. P.U.C. No. 675, naming charges, rules, regulations, and arrangements governing movements of Special Parties in Special Operations between points on the lines of Greyhound Lines, Inc.

Appropriate Special Operations Tariffs showing fares, rates, and charges for the transportation of passengers and their baggage, together with the rules and regulations governing the same, will be constructed upon the currently effective mileage scale approved, or as shall have been approved by this Commission.

The equipment proposed to be used will be drawn from applicant's pool of buses which are now being operated in applicant's regular service through the concerned area, and will be provided in such numbers as may, from time to time, be required.

The Coronado Bridge, the town of Coronado, and the route over California Highway 75 along the ocean shore, are areas of tremendous tourist and other passenger attraction. In order to transport passengers between San Diego, the Coronado Bridge, the ocean shore route, and points on applicant's authorized routes, applicant seeks this extension of operating rights limited to Special Operations only. There are no protests.

After consideration the Commission finds that:

1. Public convenience and necessity require the proposed service.
2. A public hearing is not necessary.
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.

The Commission concludes that the application should be granted.

Applicant 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. Authority is granted to Greyhound Lines, Inc. to operate between the points and over Route 17.28 set forth in Fourteenth Revised Page 58 of Appendix A, attached hereto and made a part hereof.

2. Appendix A of Decision No. 55893, as heretofore amended, is further amended by incorporating Fourteenth Revised Page 58, attached hereto, in revision of Thirteenth Revised Page 58.

3. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure so to do may result in a cancellation of the authority.

(a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted.

(b) Within one hundred twenty days after the effective date of this order, applicant shall establish the authorized service, and file tariffs and timetables, in triplicate, in the Commission's office.

- (c) The tariff and timetable filings shall be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and the public, and the effective date of the tariff and timetable filings shall be concurrent with the establishment of the authorized service.
- (d) The tariff and timetable filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs and timetables set forth in the Commission's General Orders Nos. 79-Series and 98-Series.

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

Dated at San Francisco, California, this 11th day of JANUARY, 1977.

Robert Bateman
President

William Sproule, Jr.

Donald Ross

Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

17.26 - Between San Diego and San Ysidro Port of Entry:

From San Diego, over Interstate Highway 5 to San Ysidro Port of Entry.

17.27 - Between San Diego and San Ysidro Port of Entry:

From San Diego over Interstate Highway 805 to San Ysidro Port of Entry, to be operated as an alternate route.

*17.28 - Between San Diego and Palm City:

From San Diego over the Coronado Bridge to Coronado, thence over California Highway 75 to the junction of California Highway 75 and Interstate Highway 5 (Palm City).

Service is authorized to be conducted in Special Operations only.

17.29 - Intentionally left blank.

17.30 - Intentionally left blank.

17.31 - Between San Diego and El Centro:

From San Diego, over California Highway 94 to junction California Highway 125 (Spring Valley Junction), thence over California Highway 125 to junction Interstate Highway 8 (Grossmont Junction), thence over Interstate Highway 8 to junction U. S. Highway 80 (East Alpine Junction), thence over U. S. Highway 80 to junction Interstate Highway 8 (Manzanita Junction), thence over Interstate Highway 8 to junction of California Highway 86 (El Centro).

Authority is granted to serve Alpine over available access highways to Interstate Highway 8.

No local service shall be rendered between San Diego and El Cajon.

Issued by California Public Utilities Commission.

*Revised by Decision No. 86845, Application No. 56330.