

SW/dz

Decision No. 87067

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of
SAN DIEGO ECONOMY LINE, INC., for
authority to operate on an alternate
route.

Application No. 55856
(Filed August 6, 1975;
amended September 11, 1975)

In the matter of the Application of
SAN DIEGO ECONOMY LINE, INC., for
authority to extend the suspension
and rerouting on Route 1.

Application No. 56170
(Filed January 2, 1976)

In the matter of the Application of
SAN DIEGO ECONOMY LINE, INC., for
removal of restriction.

Application No. 56269
(Filed February 9, 1976)

In the matter of the Application of
SAN DIEGO ECONOMY LINE, INC., for
authority to abandon all certificated
routes operated or pending applica-
tions held by Economy Line.

Application No. 57052
(Filed February 2, 1977)

Freddie L. Allen, for applicant.

W. L. McCracken, Attorney at Law,
for Greyhound Lines, Inc.,
protestant in A.55856 and inter-
ested party in A.56170 and
A.56269.

David L. Connor, for City of Chula
Vista; and Claude R. Page, for
San Diego Transit Corporation;
interested parties in A.55856,
A.56170, and A.56269.

Masaru Matsumura, for the Commission
staff.

O P I N I O N

San Diego Economy Line, Inc. (SDEL) holds a certificate of public convenience and necessity as a passenger stage corporation in the San Diego area.^{1/} Public hearing on Applications Nos. 55856, 56170, and 56269 was held on a consolidated record before Examiner Norman Haley at San Diego on October 14, 1976 and the matters were submitted.

On February 2, 1977 SDEL filed Application No. 57052 seeking to abandon all existing routes and pending applications. Application No. 57052 states that an agreement has been made to sell all certificated routes now held or operated by SDEL to the city of San Diego. Authority to sell or otherwise dispose of SDEL property necessary or useful in the performance of public utility services is required under Section 851 of the Public Utilities Code.

Based on the record in Applications Nos. 55856, 56170, and 56269, it is clear that SDEL's remaining service is superfluous in the San Diego area. San Diego Transit Corporation (SDTC), a publicly operated bus transit system, and Greyhound Lines, Inc. (Greyhound) have extensive intrastate operations throughout the area, including operations between downtown San Diego and San Ysidro at the U.S.-Mexico border.

SDEL's east-west Route 1 between San Diego and Calavo Gardens (Challenge and Avocado Boulevards) has been under suspension by the Commission for a number of years as the result of alleged equipment failures and mechanical difficulties (Decisions Nos. 78684 (1971), 79861 (1972), 81252 (1973), and

^{1/} Restated in Decisions Nos. 72433 (1967), 73865 (1968), and 76453 (1969).

85096 (1975). The record shows that SDEL did not expect to reinstitute service on Route 1. SDTC operates over or substantially over the same route.

SDEL's only active route is Route 2 between College Grove Shopping Center, located southwesterly of the community of Lemon Grove, and San Ysidro. SDEL's president drives six round-trip schedules six days a week. SDEL owns only one operable bus, a 1953 Airide (48 passengers). The public can get service between cities and communities in the general area of College Grove Shopping Center, on the one hand, and downtown San Diego, on the other hand, by SDTC and Greyhound. By changing buses at San Diego, passengers can get frequent service to San Ysidro.

Findings

1. By Application No. 57052 SDEL seeks to abandon all certificated routes and pending Applications Nos. 55856, 56170, and 56269.

2. The record, after hearing, in Applications Nos. 55856, 56170, and 56269 discloses that public convenience and necessity no longer require continuation of applicant's service in the San Diego area due to wide coverage of the area by other bus operations.

3. SDEL's passenger stage corporation certificate should be revoked and Applications Nos. 55856, 56170, and 56269 should be dismissed.

The Commission concludes that Application No. 57052 should be granted. A public hearing in Application No. 57052 is not necessary.

ORDER

IT IS ORDERED that:

1. Application No. 57052 is granted, and the operative rights authorized by Decisions Nos. 72433, 73865, and 76453 are revoked.

2. All tariffs and timetables presently on file with this Commission in applicant's name are canceled.

3. Applications Nos. 55856, 56170, and 56269 are dismissed.

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

Dated at San Francisco, California,
this 9th day of MARCH, 1977.

Robert Bateman
President

William J. Symons, Jr.

Richard D. Shively
Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.