

Decision No. 87311

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of RICHARD K. MATHENY, an individual,
dba SUNDANCE LINES, for authority to
operate as a passenger stage corpora-
tion in a home-to-work service between
points in Orange County and the Hughes
Aircraft Facility in Culver City.)

Application No. 56905
(Filed November 30, 1976)

O P I N I O N

Richard K. Matheny, an individual doing business as Sundance Lines, requests by this application a Certificate of Public Convenience and Necessity to operate as a passenger stage corporation in home-to-work service between the City of Orange and the City of Buena Park, on the one hand, and the Hughes Aircraft Facility in Culver City, on the other hand.

Applicant intends to utilize over-the-road, reclining seat buses, equipped with air conditioning for the service, operating five days a week with one daily round trip. Applicant alleges that Hughes Aircraft employees presently have no alternate method of commuting from Orange County area points in the vicinities of Orange or Buena Park except by using individual personal automobiles. Though there is one existing passenger stage operator between the Orange County area and Hughes Aircraft Facility in Culver City, it is limited at present to the service of passengers originating in Costa Mesa, Westminster, and Garden Grove.

Applicant proposes to charge \$15.00 per person per week between the points to be served.

The application was listed on the Commission's Daily Calendar of December 2, 1976. The Commission's Transportation Division has reviewed the application and recommends that in the absence of protest or request for public hearing it be granted. No protest has been received.

After consideration, the Commission finds that a Certificate of Public Convenience and Necessity to operate as a Passenger Stage Corporation should be granted to the applicant to the extent set forth in the ensuing order. It can be seen with certainty that there is no possibility that the project involved in this proceeding may have a significant effect on the environment.

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 granting 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. A Certificate of Public Convenience and Necessity is granted to Richard K. Matheny, doing business as Sundance Lines, authorizing him to operate as a Passenger Stage Corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the route set forth in Appendix A of this decision.

2. 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. Applicant is placed on notice that if he accepts the certificate he will be required, among other things, to comply with the safety rules administered by the California Highway Patrol, the rules and other regulations of the Commission's General Order 98-Series and the insurance requirements of the Commission's General Order 101-Series.
- (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 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 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 79-Series and 98-Series.
- (e) Applicant shall maintain his 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 his operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

A-56905

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

Dated at San Francisco, California, this 10th day of MAY, 1977.

Robert B. Farnsworth
President
William G. Quinn, Jr.
Loren H. Stanger
Richard D. Stovall

Commissioners

Appendix A

Richard K. Matheny
dba
SUNDANCE LINES

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. **87311**,
dated MAY 9, 1977, of the Public Utilities
Commission of the State of California, in Application No. 56905.

Appendix A

Richard K. Matheny

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d.b.a.

SUNDANCE LINES

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

Richard K. Matheny, doing business as Sundance Lines, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers between points in the City of Orange and the City of Buena Park on the one hand, and Hughes Aircraft Facility in Culver City, on the other hand, over and along the route hereinafter described, subject, however, to the authority of this Commission to change or modify said route at any time and subject to the following provisions:

- (a) All transportation of passengers shall originate at the points hereinafter specified in Orange County, on the one hand, and shall be destined to the facility of Hughes Aircraft Company in Culver City, on the other hand, and shall be limited to employees of or persons seeking employment at the Hughes facility.
- (b) Service will be rendered pursuant to the rules and regulations of the applicant's tariff to be filed with the Commission.
- (c) Service shall be rendered in over-the-road, reclining seat buses equipped with air conditioning.

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d.b.a.

SUNDANCE LINES

- (d) Seats will be held open without charge for employees on their annual vacation leave.

SECTION 2. ROUTE DESCRIPTION.

Beginning at "The City" (The City Drive and City Parkway) in the City of Orange, thence northerly along the Orange Freeway (State Route 55), Riverside Freeway (State Route 91) to Beach Boulevard (State Route 39) in the City of Buena Park where passengers are to be picked up; thence back on the Riverside Freeway (State Route 91), Artesia Freeway (State Route 91) to Lakewood Boulevard (State Route 19) in the City of Bellflower; thence back along the Artesia Freeway (State Route 91), Harbor Freeway (State Route 11), San Diego Freeway (State Route 405), Jefferson Boulevard to the Hughes Aircraft Facility in Culver City discharging at the gates numbered 2, 13 and 17 and return via the reverse of the going route.

END OF APPENDIX A

Issued by California Public Utilities Commission.

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