

ORIGINAL

Decision No. 88233 DEC 13 1977

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of GREYHOUND LINES,  
 INC. for authority to revise,  
 modify, and abandon specific  
 routes of Route Group 11,  
 Contra Costa County and to  
 concurrently therewith discon-  
 tinue related regular route  
 operations.

Application No. 55135  
 (Filed August 27, 1974)

Richard M. Hannon, Attorney at Law, for  
Greyhound Lines, Inc., applicant.  
R. B. Roche, for the City of Lafayette;  
 and Arundel Keane, for the City of  
 Pleasant Hill; protestants.  
Robert A. Kormel, for himself; Mark L.  
Kermit, for Board of Supervisors,  
 County of Contra Costa; Robert E.  
Nisbet, Attorney at Law, for  
 AC Transit; Arthur Harris, Attorney  
 at Law, for Metropolitan Transportation  
 Commission; and Sherwood G. Wakeman,  
 Attorney at Law, for San Francisco  
 Bay Area Rapid Transit District (BART);  
 interested parties.  
Elinore C. Morgan, Attorney at Law, for  
 the Commission staff.

## O P I N I O N

By Decision No. 83674 dated October 29, 1974, Greyhound Lines, Inc. (Greyhound) was authorized to discontinue its Contra Costa County commute service as of June 30, 1975. By subsequent supplemental orders, the last of which was Decision No. 86761 dated December 21, 1976, the time was extended to December 31, 1977.

As a result of the receipt of some 60 letters from the public protesting the discontinuance of Greyhound's Contra Costa County commute service, the Commission reopened Application No. 55135 and scheduled public hearings for the receipt of evidence as to whether Greyhound should be required to provide commute service between Contra Costa County points and San Francisco after December 31, 1977.

A duly noticed public hearing was held before Administrative Law Judge Mallory at San Francisco on October 18 and 19, 1977 and the matter was submitted. Oral testimony in opposition to the discontinuance of service was presented by nine riders of the service and by representatives of the county of Contra Costa and the city of Lafayette. Testimony was also presented on behalf of Greyhound, San Francisco Bay Area Rapid Transit District (BART), Metropolitan Transit Commission (MTC), and the Rapid Transit Systems Section of the Commission's Transportation Division.

Greyhound requests that it be authorized to discontinue midweek (Monday through Friday) service and to reduce Sunday service on January 1, 1978 and to discontinue Saturday service at the time that the Commission staff determines that BART's proposed Saturday service will not interfere with the safety of the present Monday through Friday service performed by BART. Contra Costa County requests that Greyhound be required to continue its midweek commute service indefinitely. MTC requests that Greyhound be ordered to continue its midweek commute service through June 30, 1978, after which date MTC will assume the burden of providing a satisfactory alternate service through a local transit district.

The evidence offered by BART and the Commission staff concerned the efforts of BART to provide Saturday service and improve midweek service on BART's Contra Costa-Daly City C Line. Neither BART nor the Commission staff took a position in the proceeding.<sup>1/</sup>

Public Witness Testimony

The several present users of Greyhound's commute service testified substantially as follows: Greyhound offers a convenient, comfortable, and on-time bus service between points in Contra Costa County and the financial district of San Francisco. The bus service is required to maintain a 90 percent loading standard (ten seats for nine passengers) during the morning and evening commute hours so that every passenger gets a seat. Boarding points generally are within convenient walking or driving distances. Buses are clean and the on-time performance of the commute service is excellent. Breakdowns seldom occur.

The witnesses pointed out that the only alternate public transportation service between Contra Costa County and San Francisco to Greyhound is BART. The witnesses uniformly testified that BART service did not meet their transportation requirements for one or more of the following reasons:

1. BART service is extremely crowded during the peak-commute hours; seats are not available at Lafayette, Pleasant Hill, and Orinda stations in the peak-morning commute hours, and seats are not available at Embarcadero or Montgomery stations on the eastbound evening return trips.

---

<sup>1/</sup> Apparently the Commission staff would have recommended that Greyhound be authorized to discontinue midweek commute service if it were satisfied that a satisfactory alternative service by BART would be available after December 31, 1977.

2. BART's parking lots are filled and on-street parking is not available.
3. BART has frequent discontinuances or delays in service because of breakdowns or strikes; therefore, its service is unreliable for commuters.
4. Additional time is required to reach BART because of the greater distances between BART stations compared to distances between Greyhound bus stops.

The record shows that Greyhound is offering more seats during peak hours than required by the 90 percent loading standard imposed by the Commission for its Contra Costa-San Francisco commute operations. Some of the protestants urged that sufficient buses be removed to reduce service to the 90 percent standard as a means of reducing operating costs. Greyhound indicated that staff opposition had prevented such action because of the longer times between buses.

Many of the protestants indicated that they would continue to use Greyhound service if fares were raised by as much as 50 percent. Present Greyhound commute fares are now slightly higher on a per-ride basis than comparable BART fares.

#### Peak-Hour Commute Operations

We have extended the date at which Greyhound can discontinue its remaining peak-hour commute operations in Contra Costa County based on findings that BART, the sole public transportation alternative to Greyhound operation, was not fully operative and did not have the capability of handling the commute passengers of Greyhound.<sup>2/</sup>

---

<sup>2/</sup> Such findings were made in the context of Finding 7 of Decision No. 83674 as follows:

"7. The Commission agrees with the parties that applicant should be relieved of its obligation to provide service consistent with the availability of substitute services, but it must be commensurate with the public interest and convenience."

The original date for discontinuance was June 30, 1975. That date was extended to December 31, 1975 (Decision No. 84513), to December 31, 1976 (Decision No. 85080), and to December 31, 1977 (Decision No. 86761).

Greyhound, BART, and MTC presented conflicting evidence with respect to BART's capability of transporting the approximate 600 midweek commute passengers of Greyhound after December 31, 1977. Greyhound and BART contend that recent improvements in service on BART's C Line will permit BART to handle such passengers without undue inconvenience even though BART will have more standees during peak hours, and BART's facilities will continue to be crowded.

MTC contends that at the present time, BART does not have the capability of handling Greyhound's commute passengers.<sup>3/</sup> However, with the faster service and greater number of trains expected to result from the approval by this Commission of improved train separation procedures<sup>4/</sup> and the addition of more feeder bus service, MTC believes that BART will be capable of handling 600 additional peak-hour patrons by July 1, 1978. MTC recognizes that it has the responsibility for providing adequate service to Contra Costa County residents who desire peak-hour public transportation service to and from San Francisco, and MTC also realizes that BART's service improvements (particularly improved train separation procedures) may not be fully implemented by July 1, 1978. Therefore, MTC's position stated at the hearing is that it will be prepared to fund through local transit districts an adequate alternative service to Greyhound's Contra Costa County peak-hour commute service should BART not be fully capable of providing that service by July 1, 1978 and urged that this Commission extend to June 30, 1978 the requirement that Greyhound continue to provide peak-hour commute service between Contra Costa County and San Francisco. MTC stated that only recently has it had funding capabilities to

---

3/ MTC has the responsibility for the overall planning and funding of operations of all public transit districts (including BART) in the nine San Francisco Bay Area counties.

4/ The present BART train separation procedure (CABSI) provides six-minute separations between trains. SORS, the plan being studied, would provide three-minute train separations.

provide alternative services to Greyhound, and the additional time to June 30, 1978 is required to formulate its plans. MTC stated it should know long before its proposed deadline whether BART can complete its plans for a new train control system that will shorten intervals between trains; and if it appears that sufficient progress is not being made, MTC will prepare plans and approve funding for an alternative service to replace Greyhound's peak-hour service until such time as BART is fully capable of handling additional peak-hour riders on its C Line.

Greyhound's evidence and that of BART's shows that BART instituted operation of ten-car trains on the C Line during the past year which increased passenger capacity. On June 22, 1977 BART began the operation of 13 ten-car trains during peak periods on its C Line. Twelve-minute headways are operated on the C Line during the day and 20-minute headways after 8:00 p.m. BART showed in its Exhibit 4-D that its recent peak-hour load factors ranged from 0.9 to 1.2, but that it had a load factor as high as 2.4 at the time of the heaviest patronage on its C Line.<sup>5/</sup> BART also showed in Exhibit 3-D that few cars are now out of service. BART has a total of 418 cars. During the month of September 1977 the average number of cars available for daily use ranged from 365 to 390, for a ratio of 87 to 92 percent availability. BART's Exhibit 5-D showed that 100 percent of its available parking spaces are used at its Concord, Pleasant Hill, Walnut Creek, Lafayette, and Orinda stations. BART's Exhibit 6-D showed the improved bus feeder operations which are designed to provide service to those patrons unable to find adequate parking in the vicinity of its Contra Costa stations.

---

<sup>5/</sup> A load factor of 1.0 is one seat for each passenger. A load factor of 1.2 is two standees for every ten seats, and a load factor of 2.4 is 14 standees for every ten seats.

Greyhound presented Exhibit 9-D which shows the avoidable costs per mile for its Contra Costa County local operations for weekday service, for weekend and holiday service, and for the service as a whole. Such avoidable costs were compared with corresponding revenues per mile, as follows:

	<u>Weekday Service</u> (Amounts in Cents per Mile)	<u>Weekend and Holiday Service</u> (Amounts in Cents per Mile)	<u>Service as a Whole</u> (Amounts in Cents per Mile)
Total Avoidable Cost	\$1.8380	\$0.8794	\$1.5379
Revenue per Mile	\$1.1920	\$0.7634	\$1.0790
Excess of Cost Over Revenue	\$0.7460	\$0.1160	\$0.4669
Increase in Fares Necessary to Cover Avoidable Costs	63%	15%	43%

Greyhound presented traffic counts and load factors with respect to traffic checks made on September 14 and 20, 1977. The traffic checks show that westbound (morning) weekday patronage averaged 573 passengers, and load factors averaged 73 percent; and eastbound (evening) weekday patronage averaged 662 passengers, and load factors averaged 70 percent.

A fare comparison set forth in Greyhound's Exhibit 16-D showed that BART fares between its Contra Costa County stations and San Francisco range from approximately 1 cent to 29 cents per ride less than Greyhound's commute fares on a per-ride basis between the same points.

Weekend Service

Exhibit 7-D is a copy of BART's request to this Commission for approval of special holiday-season shoppers' service on Saturdays commencing November 19 and ending December 31, 1977. Testimony presented by BART indicated that it intends to seek approval of permanent Saturday service commencing January 1, 1978; however, BART is not certain of its capability to provide that service.

A witness from the Commission's Transportation Division, Rapid Transit Systems Section, testified that the staff would not recommend approval of regular Saturday service until it is certain that Saturday operations can be performed without hindering the safety of BART's midweek service. The staff witness was not certain when its study of safety factors will be completed.

Exhibit 18-D contains Greyhound's summary of passengers handled on the Saturdays of August 27 and September 10, 1977, and on the Sundays of August 28 and September 11, 1977, in its local Contra Costa-San Francisco service. On those days, 16 eastbound and 15 westbound schedules were operated. The number of passengers per trip ranges from a low of 1 passenger to a high of 40 passengers on Saturday and from a low of no passengers to a high of 28 on Sundays. The average total passenger count for Sunday service was 235 passengers eastbound and 162 passengers westbound. The average Sunday passengers per schedule was 13 eastbound and 11 westbound.

Greyhound requests that it be granted authority to discontinue Saturday operations on its local Contra Costa-San Francisco service whenever BART receives authority to provide Saturday service on its C Line on a permanent basis. Greyhound requests that it be authorized to reduce its service to seven schedules in each direction pending the commencement of Sunday service by BART. The record shows that BART has no immediate plans to initiate Sunday service.



Greyhound's Exhibit 20-D shows that it can accommodate all of its present Sunday passengers under the reduced scheduling proposed herein, and that its proposed scheduling will cause the minimum of inconvenience to its Sunday patrons.

No one objected to the reduction in Sunday scheduling proposed by Greyhound in Exhibit 20-D.

Discussion - Weekday Service

We have concluded in prior phases of this proceeding that Greyhound should continue to provide backup service to BART's C Line operations until BART becomes fully operative and can handle Greyhound's remaining commute passengers with reasonable comfort and safety.

The record indicates that BART has made several improvements in its weekday peak-hour C Line service, such as, the operation of 13 ten-car trains on that line and the improvement in local feeder bus service to and from BART stations. The record discloses, however, that further improvement of BART's weekday service requires approval by this Commission of a new train control system (SORS). No specific date for the potential inauguration of the new train control system appears in the record. Without a further decrease in train separation times, additional C Line trains cannot feasibly be added during peak periods because of congestion.

We accept MTC's analysis that BART does not have the current capability of handling the additional passenger load that would be placed on BART if Greyhound is authorized to discontinue midweek service on December 31, 1977. We also applaud MTC's commitment to plan and fund local transit districts' capability to provide a satisfactory alternate to Greyhound's weekday service on and after July 1, 1978 in the event that BART is not fully capable to handle Greyhound's weekday passengers by that date. In the circumstances, we will extend to June 30, 1978 the requirement that Greyhound continue to conduct midweek peak-hour bus commute

operations between Contra Costa County points and San Francisco with the understanding that no further extension will be made beyond that date. We concur with MTC that it is the responsibility of it and the local transit districts within the Contra Costa-Alameda-San Francisco Counties area to supply the public transportation requirements of commuters within that area. It is reasonable to require Greyhound to continue service beyond the current discontinuance date of December 31, 1977 in order to provide time to MTC and the local transit districts sufficient time to plan and fund substitute operations and to acquire the necessary operating equipment. We fully expect MTC and local transit districts to be able to provide substitute service by June 30, 1978. However, in an abundance of caution we will not allow Greyhound to discontinue service until we are certain that a reasonable and adequate substitute commute service is available to Greyhound's midweek patrons.

Discussion - Weekend Service

BART was authorized by Resolution No. S-1429 adopted December 6, 1977 to inaugurate permanent Saturday revenue operations commencing January 7, 1978. That resolution states that the staff investigation indicated that BART is capable of providing the necessary maintenance service to the system and the vehicles for Saturday service without adversely affecting either the safety of operations or weekday service.

The record establishes that Greyhound's Sunday Contra Costa County-San Francisco schedules are lightly patronized and that adequate service will be accorded to the public under the frequency of service proposed by it. No party opposed Greyhound's proposals concerning its Sunday operations. Those proposals should be granted.

Findings

1. Greyhound is now authorized to discontinue its Contra Costa County-San Francisco commute operations on December 31, 1977.
2. Numerous written requests from Greyhound's midweek commute patrons were received by the Commission requesting that such commute operations be continued beyond the scheduled termination date.

3. As a result of such requests, public hearings were held at which evidence was presented by concerned parties.

4. Prior orders in this proceeding indicate that discontinuance of the remaining portions of Greyhound's Contra Costa County commute operations hinges upon BART's ability to provide adequate service to the users of Greyhound's service.

5. The record establishes that since the hearings in the immediate prior phase of this proceeding leading to Decision No. 86761, BART has improved service on its C Line by the operation of 13 ten-car trains during peak hours on 12-minute headways or less. However, until such time as improved train separation procedures are operative, BART will not have the capability of providing adequate service to the public if all current Greyhound commuters are also transported by it.

6. MTC has indicated responsibility of it and local transit authorities to provide adequate peak-hour commute service to the public within the three-county area involved herein. MTC requires additional time beyond December 31, 1977 to adequately plan, fund, and acquire the necessary operating equipment to provide an adequate alternative peak-hour commute service to Greyhound's present riders, either through improvements to BART operations or by other alternative service of MTC's selection.

7. MTC requests that Greyhound's midweek peak-hour commute operations be continued until June 30, 1978 in order for MTC to complete plans, allocate funds, and acquire necessary equipment to replace Greyhound's operations.

8. MTC showed that only by a recent change in statutory provisions governing its operations was it given the authority to fund local transit operations which would replace Greyhound's commute operations.

9. Greyhound opposes any further extension of time requiring it to operate its midweek peak-hour commute service beyond the present termination date of December 31, 1977 because such operations are conducted at a substantial loss. An average increase in fares of 63 percent is necessary to cover the avoidable costs of such operations.

10. MTC's request for an extension of time to July 1, 1978 is reasonable in order to allow adequate time for MTC to plan and fund alternative services to Greyhound's commute operations with the understanding that full responsibility for providing adequate service to Greyhound's present commute passengers lies with MTC after that date.

11. In consideration of Finding 10, public convenience and necessity require the continuation of Greyhound's midweek peak-hour commute operations in issue until June 30, 1978.

12. Greyhound's request for discontinuance of its Contra Costa County commute service on Saturdays should be approved as the Commission has approved the commencement of permanent Saturday service by BART, and the staff has found that Saturday service will not impair BART's ability to provide adequate and safe midweek operations.

13. Greyhound's proposal to reduce Sunday schedules for its Contra Costa County-San Francisco operations as set forth in its Exhibit 20-D will provide adequate service to the public and will be reasonable.

#### Conclusions

1. Greyhound should be authorized to discontinue its Contra Costa County-San Francisco's Monday through Friday commuter operations on June 30, 1978 on the condition that an adequate substitute service will be provided after that date by a local transit district.

2. Greyhound should be authorized to discontinue Saturday service as approval has been given to permanent Saturday service by BART.

3. Greyhound should be authorized to provide Sunday service as set forth in its Exhibit 20-D.

O R D E R

IT IS ORDERED that:

1. Greyhound Lines, Inc. (Greyhound) shall continue its T, R, Y, and X schedules between Contra Costa County and San Francisco on weekdays (Monday through Friday) until further order of the Commission. If the Commission is informed prior to June 30, 1978 that an adequate substitute service will be provided by a local transit on and after July 1, 1978, the Commission, by further order, shall permit Greyhound to discontinue its midweek Contra Costa-San Francisco commute service.

2. Greyhound may discontinue its present Saturday schedules between Contra Costa County and San Francisco concurrently with the commencement of permanent Saturday revenue operations of BART on January 7, 1978.

3. Greyhound may operate Sunday schedules between Antioch and San Francisco through Pittsburg, Concord, Pleasant Hill, Walnut Creek, Lafayette, Orinda, and Oakland as proposed in Exhibit 20-D.

4. Within thirty days after the effective date of this order and on not less than ten days' notice to the public, Greyhound shall amend its timetables to reflect the changes authorized in paragraphs 2 and 3.

5. Greyhound shall prominently display in its San Francisco terminal and Contra Costa County depots notices of the reduction or discontinuance of any service as authorized herein. Such notices shall be posted at least fifteen days prior to any reduction or discontinuance of service.

6. Greyhound also shall give notice of the discontinuance of its weekday commute service by placing printed notices on seats of its commute buses on each westbound and each eastbound schedule operated by it at least ten days before termination of commute operation. Such printed notices shall also include, to the extent

such information is available, details of the public transit district services that will replace Greyhound's weekday commute services.

The effective date of this order is the date hereof. ✓

Dated at San Francisco, California, this 13th  
day of DECEMBER, 1977.

Robert Batiminel  
President  
William J. S. S. S.  
William J. S. S. S.  
Charles W. S. S. S.  
David L. S. S. S.  
Commissioners