

ORIGINAL

Decision No. 88522 FEB 22 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)  
 DOUGLAS BUS LINES, INC., doing )  
 business as COMMUTER BUS LINES, for )  
 authority to extend its passenger )  
 stage commuter service to include )  
 Sacramento and surrounding areas. )

Application No. 57502  
 (Filed August 4, 1977;  
 amended November 3, 1977)

O P I N I O N

Applicant provides home-to-work passenger bus service in the Los Angeles area and the vicinity thereof. It is now doing business under the fictitious name of Commuter Bus Lines. By this application, as amended, it seeks a certificate to provide a similar home-to-work passenger bus service in the Sacramento area and the vicinity thereof. Generally, the service would be from Yuba City and Marysville on the north, Stockton on the south, Nevada City and Placerville on the east, and Fairfield on the west to downtown Sacramento, Davis, and/or McClellan Air Force Base and return. The proposed service would be subject to the following restrictions: no passenger may be transported between points within the boundaries of the Sacramento Regional Transit District; passengers must be commuters traveling to school or work; service will be provided Monday through Friday, except holidays, and only during the morning and afternoon commute hours; applicant is not required to commence or maintain service in any area that does not have a patronage of 33 or more passengers per bus; and at the end of one year, applicant may be required by the Commission to show cause why the authority for any area not being regularly served should not be suspended or revoked. The length of the various routes would range from 24 to 63 miles.

Only five-day, round-trip commute tickets would be sold. The proposed fares would vary depending on the route and the point of pickup on the particular route, and with one minor exception, they are less than the daily round-trip fare of Greyhound Lines, Inc. for five days. A patron would be allowed a credit toward the purchase of a subsequent weekly ticket for each day he did not ride the bus. Intercity type buses would be used for the proposed service.

The application states that there is either no existing bus service or no commute type service along the various proposed routes; that the specialized service applicant proposes will not adversely affect any other passenger carrier operating in any of the sought areas; that the proposed service will eliminate a substantial number of private vehicles from the highways and thereby result in energy conservation and have a beneficial effect on the environment; that it would not be economically feasible to commence service along any route until 33 passengers have been enrolled for a bus; that the proposed fares are at a low enough level that will encourage patronage; and that applicant does not anticipate any difficulty in obtaining the necessary 33 passengers per bus.

Applicant estimates that by the end of the first year of the proposed operation, it will be operating between 10 and 17 buses and transporting 330 to 561 passengers per day along the sought routes. According to applicant's balance sheet dated March 31, 1977, it had assets of \$217,951, liabilities of \$138,657, and a stockholders' equity of \$79,294.

The application and amendment were listed on the Commission's Daily Calendar. Applicant furnished interested parties with copies of the application and amendment. With the filing of the amendment, Greyhound Lines, Inc. and A. B. Allen, doing business as Allen Transportation Co., withdrew protests they had filed. There were no other protests.

Findings

1. Applicant has the ability to provide the proposed service.
2. Public convenience and necessity require that applicant be authorized to provide the proposed service.
3. It can be seen with certainty that there is no possibility the activity in question may have a significant effect on the environment.

Conclusion

The Commission concludes that the application should be granted as set forth in the ensuing order.

Douglas Bus Lines, Inc., dba Commuter Bus Lines, 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. A certificate of public convenience and necessity is granted to Douglas Bus Lines, Inc., doing business as Commuter Bus Lines, authorizing it to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the routes set forth in Appendix F 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 it accepts the certificate it 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 No. 98-Series, and the insurance requirements of the Commission's General Order No. 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 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.

- (e) Applicant 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 thirty days after the date hereof.

Dated at San Francisco, California, this 22nd day of FEBRUARY, 1978.

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President

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*James L. Steyer*  
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*Robert W. Burt*  
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*Clair T. Dechik*  
 Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

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

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
TO OPERATE AS  
A PASSENGER STAGE CORPORATION  
PSC-453

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

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Any 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.

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Issued under authority of Decision No. 88522, dated FEB 22 1978,  
of the Public Utilities Commission of the State of California, in Application  
No. 57502.

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

Douglas Bus Lines, Inc., doing business as Commuter Bus Lines, by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin, is authorized to transport passengers between the specified areas as noted in Section 2, on the one hand, and specified places of employment described in Section 1, on the other hand, subject to the following conditions and restrictions:

- (a) Jurisdictional boundaries (cities, counties, transit districts, etc.) are as they existed on the date of this application.
- (b) When route descriptions are given in one direction, they apply in either direction unless otherwise indicated.
- (c) No passengers may be transported between any two points both of which are located within the legislative boundaries of the Sacramento Regional Transit District.
- (d) All passengers must be bona fide commuters traveling to school or work (or job applicants seeking work) at an employer or institution located:
  - (1) Within Downtown Sacramento. For the purposes herein, Downtown Sacramento is that area bounded as follows: Beginning at the confluence of the Sacramento and American Rivers, thence along the Sacramento River, Interstate Highway 80, 19th Street, Freeport Boulevard, 2nd Avenue, 24th Street, Interstate Highway 80, U. S. Highway 50, Howe Avenue, and the American River to the point of beginning.
  - (2) Within the City of Davis or the campus of the University of California, Davis.

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- (3) At McClellan Air Force Base.
  - (4) Such that employees may ride applicant's buses for all or part of the commute journey, alighting along any route or within any defined area.
- (e) Service shall be scheduled and operated only at the following times:
- (1) To Sacramento, Davis or McClellan Air Force Base: Only during the morning commute hours, arriving before 9 a.m.
  - (2) From Sacramento, Davis or McClellan Air Force Base: Only during the evening commute hours, leaving after 3:30 p.m. but before 6 p.m. except on days that employers dismiss early, service may be operated accordingly.
  - (3) Service shall be scheduled and operated only on regular workdays, normally Monday through Friday, except holidays.
- (f) Applicant is not required to commence service in any area except for thirty-three (33) or more passengers per bus and may not discontinue service without permission from the California Public Utilities Commission.

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## SECTION 2. ROUTE DESCRIPTIONS.

Route NC - Nevada City, Grass Valley, Auburn, Newcastle, Penryn,  
Loomis and Rocklin

Commencing from any appropriate point or points within the city limits of Nevada City, thence via Highway 49 to Grass Valley providing service from any appropriate point or points within the city limits of Grass Valley, thence via Highway 49 to Auburn providing service from any appropriate point or points within the city limits of Auburn, thence via the most appropriate route to provide service to the areas described as follows: within a one mile radius of the intersections of Taylor Road and the following roads: (1) State Sign Route 193 (Newcastle); (2) Rock Springs Road (Penryn); (3) Laird Street (Loomis); and the intersection of Pacific Street and Sunset Boulevard (Rocklin), thence via Interstate Highway 80 to Downtown Sacramento.

Route A - Auburn via Auburn-Folsom Road

Commencing from any appropriate point or points within a one mile radius of the intersections of the Auburn-Folsom Road and the following roads: (1) Carolyn Street (Auburn); (2) Newcastle Road; (3) Horseshoe Bar Road; (4) Dick Cook Road; (5) Laird Road; (6) Eureka Road; thence via Douglas Boulevard to the Interstate Highway 80 interchange, thence via Interstate Highway 80 to Downtown Sacramento.

Alternate route to McClellan Air Force Base - from Interstate Highway 80, along Madison Avenue, Air Base Drive and Watt Avenue to McClellan Air Force Base.

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Alternate Routes to Downtown Sacramento - from Interstate Highway 80, along State Route 160, or along Interstate Highways 880 and 5 to Downtown Sacramento.

Route F - Fairfield (including Suisun, Vacaville and Dixon)

Commencing from any appropriate point or points within the city limits of Suisun City and Fairfield, thence via Interstate Highway 80 to Vacaville providing service from any appropriate point or points within the city limits of Vacaville, thence via Interstate Highway 80 to the Dixon Avenue interchange, thence along Dixon Avenue to First Street (Dixon), providing service from any appropriate point or points within a one mile radius of the intersection of Dixon Avenue and First Street, thence along First Street to Interstate Highway 80, thence via Interstate Highway 80 to the junction of State Sign Route 113, thence along State Sign Route 113 to Russell Boulevard providing service within a two mile radius of the intersection of State Sign Route 113 and Russell Boulevard over the most appropriate roads, thence via B Street to Interstate Highway 80 to Downtown Sacramento.

Route MY - Marysville/Yuba City

Commencing from any appropriate point or points within the Cities of Marysville and Yuba City, thence via State Sign Route 70 and U. S. Highway 99 to Downtown Sacramento.

Route P - Placerville (including Shingle Springs, Cameron Park and El Dorado Hills)

Commencing from any appropriate point or points within the City of Placerville, thence via U. S. Highway 50 providing service within a one mile radius

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of the following intersections: (1) Shingle Road (Shingle Springs); (2) Cameron Park Drive (Cameron Park); (3) El Dorado Hills Boulevard (El Dorado Hills), thence via U. S. Highway 50 to Downtown Sacramento.

Alternate Route - McClellan Air Force Base - from U. S. Highway 50, thence via Placerville Road, Folsom City streets, Madison Avenue, Air Base Drive and Watt Avenue to McClellan Air Force Base.

Route R - Rancho Murietta

Commencing from any appropriate point or points within a one mile radius of the intersection of Stone House Road and State Sign Route 16, thence via State Sign Route 16 to Downtown Sacramento.

Route S - Stockton (Lodi and Galt)

Commencing from any appropriate point or points within the area bounded on the north by Eight Mile Road, on the west by Interstate Highway 5, on the south by State Sign Route 4, and on the east by U. S. Highway 99, thence via U. S. Highway 99 to Lodi providing service from any appropriate point or points within the city limits of Lodi, thence via U. S. Highway 99 to the interchange at Boessow Road, providing service from any appropriate point or points within the city limits of Galt, thence via U. S. Highway 99 to Downtown Sacramento.

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