

ORIGINAL

Decision No. 89010 JUN 27 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION)
OF STUART ALAN MESSNICK, dba, THE)
CO-ORDINATORS, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECES-)
SITY TO OPERATE PASSENGER SERVICE)
BETWEEN NUMEROUS LOCATIONS IN THE)
COUNTY OF LOS ANGELES TO ANAHEIM)
STADIUM IN ANAHEIM, CALIFORNIA.)

Application No. 57858
(Filed February 8, 1978)

O P I N I O N

The applicant seeks a certificate of public convenience and necessity (certificate) pursuant to Sections 1031 and 1032 of the Public Utilities Code to operate a passenger stage service by bus over various routes between cities in Los Angeles County, on the one hand, and Anaheim Stadium in the city of Anaheim, on the other hand, and return.

The applicant currently owns and operates a fleet of sightseeing buses, as set forth in Exhibit G attached to the application, pursuant to charter-party carrier permit TCP 456 and passenger stage certificate PSC 964. The application states that the applicant believes that the Los Angeles Rams football team will discontinue playing its games in the Coliseum in the city of Los Angeles and play such games in Anaheim Stadium.

After proper notice, there were no protests to the application. An Advice of Participation Letter dated April 7, 1978 from the Commission's Surface Passenger Engineering Section states that ex parte handling is recommended and the applicant be given a specified time in which to activate the service.

Exhibit A attached to the application shows the proposed area to be served and Exhibit B shows the various routes that the applicant intends to use to go to and from the Anaheim Stadium.

The proposed fares are set forth in Exhibit C attached to the application, and provide for a round-trip charge of \$10 per person with a provision that there will be a season ticket program charge of \$8.50 per person.

Applicant's financial statement is Exhibit E and his pro forma profit and loss statement is Exhibit F attached to the application. The applicant now owns six vehicles as set forth in Exhibit G attached to the application and states that he will purchase or lease other vehicles which may be necessary to perform the service for which he requests a certificate herein.

The applicant sets forth in Exhibit D attached to the application that no starting times have been announced for games to be played in Anaheim Stadium but that he intends to pick up the passengers from the various points from between one and one-half to two hours prior to the start of the football game and the buses will depart from Anaheim Stadium one-half hour after the game has ended.

Findings

1. In the event that the Rams football team plays its games in Anaheim Stadium in Anaheim, California, public convenience and necessity will require that the applicant be authorized to engage in the operation of a passenger stage service from various points in Los Angeles County to Anaheim Stadium in Anaheim to transport passengers who desire to attend the games on the days such games are played.

2. The applicant possesses the desirable experience, necessary equipment, and financial resources to provide the proposed service.

3. The proposed fares are reasonable.

4. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

5. A public hearing is not necessary.

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

Stuart Alan Messnick, doing business as The Co-Ordinators, 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 a 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 Stuart Alan Messnick, doing business as The Co-Ordinators, authorizing him to operate 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 A attached hereto and made a part hereof, for the limited purpose of transporting passengers to attend the Los Angeles Rams football games on days such games are played in Anaheim Stadium in Anaheim, California.

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 No. 98-Series, and the insurance requirements of the Commission's General Order No. 101-Series.
- (b) On or before ^{August 1, 1979 WJ} ~~January 31, 1981~~, 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 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.

3. This certificate shall expire if the service authorized by this order is not established on or before ~~January 31, 1981~~ ^{January 31, 1979} *W*

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

Dated at San Francisco, California,
this 27th day of JUNE, 1978.

William Sproun, Jr. President
Vernon L. Ferguson
Robert D. Howell
Clair T. Smith Commissioners

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

ADDED TO
CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE AS A
PASSENGER STAGE CORPORATION
PSC - 964

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. 89010
dated JUN 27 1978 of the Public Utilities Commission of the
State of California, in Application No. 57858.

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

Stuart Alan Messnick, doing business as The Co-ordinators, by the certificate of public convenience and necessity noted in the margin, is authorized to transport passengers between certain points in Los Angeles County, on the one hand, and Anaheim Stadium, on the other hand, for the limited purpose of transporting passengers to and from Los Angeles Rams football events, subject, however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- (a) Motor vehicles may be turned at termini and intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections, in accordance with local traffic regulations.
- (b) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (c) All service herein authorized shall be limited to the transportation of passengers to and from football games of the Los Angeles Rams when such games are scheduled at Anaheim Stadium.
- (d) Service shall be performed subject to a minimum of 24 passengers per route with combining of routes permitted, provided current timetables filed with the Commission reflect actual service offered.
- (e) No service shall be provided to passengers whose origin and destination are both wholly within Los Angeles County or wholly within Orange County.

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SECTION 2. ROUTE DESCRIPTIONS.

Routes 1 - 3. San Fernando Valley - North Hollywood - Hollywood - Anaheim.

Beginning at Sherman Way and Topanga Canyon Boulevard, where passengers are boarded; south on Topanga Canyon Boulevard to U.S. 101 (Ventura Freeway); east on U.S. 101 to Tujunga Avenue; north on Tujunga to Riverside Drive, where passengers are boarded; return to southerly on U.S. 101 (Hollywood Freeway) to Hollywood Boulevard off ramp, where passengers are boarded; southerly on U.S. 101 to Interstate 5 (Golden State Freeway); southerly on Interstate 5 to State Highway 91 (Artesia Freeway); east on State Highway 91 to State Highway 57 (Orange Freeway); south on State Highway 57 to Orangewood Avenue in Anaheim; west on Orangewood Avenue to Anaheim Stadium parking lot.

Route 4. West Los Angeles - Anaheim.

Beginning at Avenue of the Stars and Olympic Boulevard, where passengers are boarded; east on Olympic to La Cienega Boulevard; south on La Cienega to Interstate 10 (Santa Monica Freeway); east on Interstate 10 to Interstate 5 (Golden State Freeway); southerly on Interstate 5 to State Highway 91 (Artesia Freeway); east on State Highway 91 to State Highway 57 (Orange Freeway); south on State Highway 57 to Orangewood Avenue in Anaheim west or Orangewood Avenue to Anaheim Stadium parking lot.

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Route 5. South Bay - Anaheim.

Beginning at Hawthorne and Manhattan Beach Boulevards, where passengers are boarded; southerly on Interstate 405 (San Diego Freeway) to State Highway 91 (Artesia Freeway); east on State Highway 91 to State Highway 57 (Orange Freeway); south on State Highway 57 to Orangewood Avenue in Anaheim; west on Orangewood Avenue to Anaheim Stadium parking lot.

Route 6. Central Los Angeles - Anaheim.

Beginning at Santa Barbara and Vermont Avenue, where passengers are boarded; south on State Highway 11 (Harbor Freeway) to State Highway 91 (Artesia Freeway) east on State Highway 91 to State Highway 57 (Orange Freeway); south on State Highway 57 to Orangewood Avenue; west on Orange Avenue to Anaheim Stadium parking lot.

Route 7. Pasadena - Anaheim.

Beginning at Colorado Boulevard and Arroyo Parking, where passengers are boarded, north on Arroyo to Interstate 210 (Foothill Freeway); east on Interstate 210 to State Highway 57 (Orange Freeway); south on State Highway 57 to Orangewood Avenue in Anaheim; west on Orangewood Avenue to Anaheim; west on Orangewood Avenue to Anaheim Stadium parking lot.

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Appendix A

Stuart Alan Messnick
Doing Business As
THE CO-ORDINATORS

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Route 8. Pomona - Anaheim.

Beginning at Diamond Bar Avenue and State Highway 57 (Orange Freeway), where passengers are boarded; south on State Highway 57 to Oranewood Avenue in Anaheim; west on Oranewood Avenue to Anaheim Stadium parking lot.

(END OF APPENDIX A)

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