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Decision No. S9209 AUG 8 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of
DOUGLAS BUS LINES, INC., dba Commuter
Bus Lines, for authority to extend
its passenger stage service to
include routes from Riverside and
Corona to Irvine, and from San
Bernardino and Riverside to the
Santa Anita Race Track.

Application No. 57757
(Filed December 21, 1977;
amended February 14, 1978)

O P I N I O N

By this verified application Douglas Bus Lines, Inc., doing business as Commuter Bus Lines (Douglas), seeks authority, pursuant to Sections 1031-1036 of the Public Utilities Code, to extend its passenger stage service. Douglas holds a certificate of public convenience and necessity as a passenger stage corporation. Douglas is presently authorized to transport passengers between their homes in Corona and the Rockwell Plant located in El Segundo, and between passengers' homes in Irvine and various points in Los Angeles County. Because of the demand for home-to-work commuter transportation by persons living in the Riverside and Corona areas and working in the Irvine industrial area, Douglas seeks to extend its present operations to connect Corona and Irvine, including Riverside in the extension. Authority is also sought to provide passenger stage service to Santa Anita Race Track from San Bernardino and Riverside, which has been requested by the race track since there is no existing service available.

By its first amendment, Douglas deleted the request to serve the Irvine area from the specific points of Riverside and Corona and substitutes a request for authority to transport commuters to the Irvine industrial area from any point within a 50-mile radius from the boundaries of said industrial area. The proposed fares were amended to read as follows:

0 - 20 miles*	\$12.00 per week	\$3.00 per day
21 - 30 miles	13.00 " "	3.25 " "
31 - 40 miles	14.00 " "	3.50 " "
41 or more miles	15.00 " "	3.75 " "

* route miles

Douglas also requests authority to inaugurate service only when 30 or more weekly passengers, or the equivalent thereof, sign up for a given bus; and that service may be discontinued when the average passenger load for four consecutive weeks is less than twenty weekly passengers, or the equivalent thereof on any given bus.

The Orange County Transit District (OCTD) filed a letter of protest dated February 21, 1978 requesting that the matter go to hearing rather than be handled ex parte as requested. By letter of May 10, 1978 OCTD withdrew its letter of February 21, 1978 and stated that it no longer is opposed to a grant of authority as requested. The staff has no objection to ex parte handling of this matter.

Findings of Fact

1. Public convenience and necessity require that Douglas be authorized to extend its passenger stage service as requested.
2. A public hearing is not necessary.

Conclusion of Law

Douglas should be granted extension to its certificate of public convenience and necessity as set forth in Appendix A.

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., dba Commuter Bus Lines, a corporation, 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 H of this decision. Prior orders of this carrier have been issued in alphabetical order.

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 8th day of AUGUST, 1978.

President

Commissioners

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

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.

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Appendix H

DOUGLAS BUS LINES, INC.
Doing Business As
COMMUTER BUS LINES

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CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
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Showing passenger stage operative rights, restrictions, limitations, exceptions, and privileges applicable thereto.

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.

Issued under authority of Decision No. 89209
dated AUG 8 1978, of the Public Utilities Commission of
the State of California, in Application No. 57757.

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 (1) from any point within the San Bernardino Riverside Service Area to Santa Anita Race Track and return, and (2) from any point within the Los Angeles-Irvine Service Area to any point within the Irvine Industrial Area and return, subject to the following conditions and restrictions:

- (a) Current timetables shall be filed with the Commission to show stops and service in effect at any time. Timetable filings shall clearly delineate any changes in bus stops, changes in scheduled departure times, or suspension of service.
- (b) Service from Los Angeles-Irvine Service Area to Irvine Industrial Area and return shall be established upon the prior reservation and payment of 30 weekly fares per bus.
- (c) Service from Los Angeles-Irvine Service Area to Irvine Industrial Area and return may be discontinued when the average passenger load for four consecutive weeks is fewer than 20 weekly fares per bus.
- (d) All passengers from Los Angeles-Irvine Service Area to Irvine Industrial Area and return shall be commuters traveling to or from work or job applicants seeking work within the Irvine Industrial Area.
- (e) Weekly round-trip transportation from Los Angeles-Irvine Industrial Area is based on a five-day work week.
- (f) Service from San Bernardino-Riverside Service Area to Santa Anita Race Track and return may be operated on racing days only.

Issued by California Public Utilities Commission.

Decision No. 89200, Application No. 57757.

SECTION 2. DESCRIPTIONS OF SERVICE AREAS.

A. San Bernardino-Riverside Service Area:

Any point within a radius of 5 statute miles of the following intersections:

State Highway 91 (Riverside Freeway) and Lincoln Avenue in Corona;

Interstate Route 10 and Interstate Route 15 in San Bernardino;

Interstate Route 10 and Euclid Avenue in Ontario

B. Los Angeles-Irvine Service Area:

Any point within a radius of 50 statute miles from the intersection of Interstate Route 405 (San Diego Freeway) and State Highway 55 (Newport Freeway)

C. Irvine Industrial Area:

Beginning at the intersection of Dyer Road and South Main Street in Santa Ana, east and southeasterly along Dyer Road, southeasterly along Barranca Road to the San Diego Creek, south and west along the San Diego Creek to MacArthur Boulevard, north along MacArthur Boulevard to a prolongation of Bristol Street, then northwesterly along Bristol Street, northeasterly along State Highway 55 (Newport Freeway) to South Main Street, north along South Main Street to Dyer Road. Also authorized south along MacArthur Boulevard from the San Diego Creek to the Ford Motor Company Aeronautics Plant.