

Decision No. 89640 NOV 9 1978

ORIGINAL

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 Lawrence)
Livermore Laboratory from Stockton,)
San Jose, et al.)

Application No. 57982
(Filed April 10, 1978)

O P I N I O N

By this application, Douglas Bus Lines, Inc., doing business as Commuter Bus Lines, seeks authority to extend its passenger stage service. Applicant currently holds a Certificate of Public Convenience and Necessity as a Passenger Stage Corporation (PSC-453), authorizing it to transport passengers between their homes and places of work at various locations in California. Because of the demand for home-to-work commuter transportation by persons living in the Stockton and San Jose areas and working in the Livermore area, applicant seeks to extend its present operations to connect Stockton and Livermore, including San Jose in the extension.

The service proposed is from San Jose on the west and from Stockton, Manteca and Tracy on the east, to Sandia Laboratories and/or University of California Lawrence Livermore Laboratory and return. The proposed service would be subject to the following restrictions:

1. Passengers must be commuters travelling to or from work.
2. Service will be provided Monday through Friday except holidays, and only during the morning and afternoon commute hours.
3. Only five-day, round-trip commute tickets would be sold.

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The proposed fares are tabulated below:

SMT Route (Stockton - Manteca - Tracy)

<u>Livermore - from/to</u>	<u>Miles</u>	<u>Weekly Fare</u>
Stockton	45	\$14.50
Manteca/Lathrop	30	\$12.25
Tracy	18	\$10.75

San Jose Route

<u>Livermore - from/to</u>	<u>Miles</u>	<u>Weekly Fare</u>
San Jose	38	\$13.75

A patron would be allowed a credit towards 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 scheduled to meet these Livermore commuters at Sandia and Lawrence Laboratories. The specialized service applicant proposes will not adversely affect any other passenger stage operating in any of the sought areas. The proposed service will eliminate a substantial number of private vehicles on the highways and thereby result in energy conservation and have a beneficial effect on the environment.

The application was listed on the Commission's Daily Calendar of April 11, 1978. The Commission's Transportation Division staff has reviewed the application and recommends that in the absence of protests or request for public hearing, it be granted by ex parte order. No protest or request for hearing has been received. A public hearing is not necessary.

F I N D I N G S

1. Public Convenience and Necessity require that the applicant be authorized to provide the proposed service.
2. It can be seen with certainty that there is no possibility the authority in question may have a significant effect on the environment.
3. A public hearing is not necessary.

C O N C L U S I O N

After consideration, the Commission finds that the proposed extension of home-to-work passenger bus service would not be adverse to public interest and concludes that it should be authorized. Douglas Bus Lines, Inc. d.b.a. 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, a corporation, authorizing it to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between points and over the routes set forth in Appendix I of this decision. Prior orders of this carrier have issued portions of the certificate in alphabetical order (A through H).

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.

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

Dated at San Francisco, California, this 9th day of NOVEMBER, 1978.

Robert Batimian
President
William Symons Jr.
Vernon L. Sturgeon
Richard B. Goble
Clair J. DeBrich
Commissioners

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.

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. 89640, dated NOV 9 1978
of the Public Utilities Commission of the State of California, in
Application No. 57982.

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) All passengers must be bona fide commuters traveling to or from work (or job applicants seeking work) at an employer or institution located:
 - (1) At the University of California's Lawrence Livermore Laboratory or Sandia Laboratories, located at Greenville Road and East Avenue, near Livermore.
- (d) Service shall be scheduled and operated only at the following times:
 - (1) To Lawrence Livermore Laboratory or Sandia Laboratories to meet established work shifts.
 - (2) Service shall be scheduled and operated only on regular workdays, normally Monday through Friday, except holidays.

Issued by California Public Utilities Commission.

Decision No. 89640 ; Application No. 57982.

SECTION 2. ROUTE DESCRIPTIONS.

Route SMT - Stockton, Manteca and Tracy to Livermore

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 Route 4, and on the east by U.S. Highway 99, thence via Interstate 5, Airport Way or U.S. Highway 99 to the Manteca area (any appropriate point or points within a three-(3)mile radius of the intersection of Airport Way and Yosemite Avenue), thence via Interstate 5 and Interstate 205, Grant Line Road or Eleventh Street to the Tracy area (any appropriate point or points within a three-(3)mile radius of the intersection of Tracy Boulevard and West 11th Street), thence west on Interstate 205, west on Interstate 580, south on Greenville Road and west on East Avenue to the University of California's Lawrence Livermore Laboratory and Sandia Laboratories.

Route SJ - San Jose to Livermore

Commencing from any appropriate point or points within the area bounded on the north by State Sign Route 237, on the west by State Sign Route 85, on the south by Interstate Highway 280, and on the east by Interstate Highway 680, thence via Interstate Highway 680, and north along Interstate Highway 680 to the intersection of State Sign Route 84, thence north along Interstate Highway 680 to the intersection of Sunol Boulevard, thence north along Interstate Highway 680 to Interstate Highway 580, and east on Interstate Highway 580, south on Greenville Road and west on East Avenue to the University of California's Lawrence Livermore Laboratory and Sandia Laboratories.

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SECTION 2. ROUTE DESCRIPTIONS (continued)

Alternate Routes:

(1) From Interstate Highway 680, thence north on Sunol Boulevard, east on Stanley Boulevard, south on Murrieta Boulevard, east on 4th Street, southeast on Livermore Avenue, and east on East Street to Greenville Road.

(2) From Interstate Highway 680, thence northeast on State Route 84, east on 4th Street, southeast on Livermore Avenue and east on East Avenue to Greenville Road.

Issued by California Public Utilities Commission.

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