

Decision No. 89749 . DEC 12 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the joint appli- )  
cation of Loren B. Joplin, dba )  
Suburban Commuter Service )  
(seller), and Commuter Bus Lines, )  
Inc. (purchaser), for authority )  
to transfer certain operating )  
rights. )

Application No. 58420  
(Filed October 19, 1978)

O P I N I O N

By Decision No. 85456, Suburban Commuter Service was issued a Certificate of Public Convenience and Necessity to transport passengers between various points in the Southern California area.

By this application, Suburban Commuter Service, herein-after referred to as seller, requests authority pursuant to Public Utilities Code Section 851 to transfer portions of its passenger stage certificate to Commuter Bus Lines, Inc., hereinafter referred to as purchaser. The portions affected are two seasonal track routes, and one beach route.

The seller and purchaser have entered into a written agreement on the terms and conditions for the routes sought for transfer. The parties have agreed that the purchase price will total \$2,286.76 involving a trade of a \$2,000 bus and a debt cancellation of \$286.76.

The application was listed on the Commission's Daily Calendar of October 20, 1978. The Commission's Transportation Division staff has reviewed the application and recommends that in the absence of protest 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

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest and concludes that it should be authorized. We further find with reasonable certainty that the project involved in this proceeding will not have a significant effect on the environment.

The order which follows will provide for, in the event the transfer is completed, the revocation of the certificate presently held by Suburban Commuter Service, and the issuance of a certificate stating the remainder of its operating authority and the issuance of a certificate in appendix form to Commuter Bus Lines, Inc.

Purchaser 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. On or before March 1, 1979, Suburban Commuter Service, may sell and transfer the operative rights referred to in the application to the purchaser, Commuter Bus Lines, Inc.
2. Within thirty days after the transfer the purchaser shall file with the Commission written acceptance of the certificate and a true copy of the bill of sale or other instrument of transfer.
3. Purchaser shall amend or reissue the tariffs and timetables on file with the Commission, naming rates and rules governing the common carrier operations transferred to show that he has adopted or established, as his own, the rates and rules. The tariff and timetable filings shall be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the

A. 58420 - DL

Commission and the public, and the effective date of the tariff and timetable filings shall be concurrent with the transfer. The tariff and timetable filings made pursuant to this order shall comply in all respects 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. Failure to comply with the provisions of General Orders Nos. 79-Series and 98-Series may result in a cancellation of the operating authority granted by this decision.

4. In the event the transfer authorized in Paragraph 1 is completed, effective concurrently with the effective date of the tariff filings required by Paragraph 3, a Certificate of Public Convenience and Necessity is granted to Commuter Bus Lines, Inc. 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 J (PSC-453), attached hereto and made a part hereof. Prior orders of this carrier have been issued in alphabetical order.

5. The Certificate of Public Convenience and Necessity granted to Suburban Commuter Service, in appendix form, as Appendix A (PSC-952) attached hereto and made a part of this decision, shall supersede the Certificate of Public Convenience and Necessity granted by Decision 85456 which certificate is revoked effective concurrently with the effective date of the tariff filings required by Paragraph 3.

6. Purchaser shall comply with the safety rules of the California Highway Patrol, the rules and regulations of the Commission's General Order No. 98-Series, and insurance requirements of the Commission's General Order No. 101-Series.

7. Purchaser 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

A. 58420 - FS

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.

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

Dated at San Francisco, California, this 12<sup>th</sup> day of DECEMBER, 1978.

Robert Bateman  
President  
William J. Jones Jr.  
Vernon L. Stegeman  
Robert D. Goble  
Clive T. DePaul  
Commissioners

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
TO OPERATE AS A PASSENGER STAGE CORPORATION  
PSC-952

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

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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.

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Issued under authority of Decision No. 89749 dated DEC 12 1978  
of the Public Utilities Commission of the State of California,  
in Application No. 58420.

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

Loren B. Joplin, as a sole proprietor, is authorized to operate passenger stage service for the transportation of passengers between the City of Simi Valley, on the one hand, and Hollywood Park Race Track, on the other hand, and certain territories intermediate and adjacent thereto, over and along the route hereinafter described, subject, however, to the authority of this Commission to change or modify said route at any time and subject to the following provisions:

- a. No passengers will be transported on Route 4 with both origin and destination between the intersection of Kuehner Drive and Simi Valley-San Fernando Valley Freeway (118), on the one hand, and Hollywood Park Race Track, on the other hand.
- b. Passengers shall be picked up and discharged only at points and places to be named in applicant's tariffs and timetables, and situated along the route herein described.
- c. Motor vehicles may be turned at termini or at intermediate points, in either direction, and are to be operated in accordance with governing traffic regulations.
- d. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.

## SECTION 2. ROUTE DESCRIPTIONS

Route 1: Simi Valley - Hollywood Park Race Track Route

Commencing at the intersection of Los Angeles Avenue and First Street, in the City of Simi Valley, thence via Los Angeles Avenue, Kuehner Drive, Simi Valley-San Fernando Valley Freeway (118), Topanga Canyon Boulevard, Devonshire Street, San Diego Freeway (I-405), Manchester Avenue, Prairie Avenue and into parking lot of Hollywood Park Race Track.

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

Decision No. 89749, Application No. 58420.

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

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

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INDEX

	<u>Page</u>
SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS AND SPECIFICATIONS.....	2
SECTION 2. ROUTE DESCRIPTIONS	
<u>Route No.</u>	
1 Simi Valley -Zuma Beach.....	3
2 Simi Valley - Del Mar.....	3
3 Simi Valley - Santa Anita Race Track.....	3

Issued by California Public Utilities Commission.

Decision No. 89749, Application No. 58420.



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

Commuter Bus Lines, Inc., a corporation, is authorized to operate passenger stage service for the transportation of passengers between the City of Simi Valley, on the one hand, and Zuma Beach, Del Mar Race Track, and Santa Anita Race Track, on the other hand, and certain territories intermediate and adjacent thereto, over and along the routes hereinafter described, subject, however, to the authority of this Commission to change or modify said routes at any time and subject to the following provisions:

- a. No passengers will be transported on Route 3 with both origin and destination between the intersection of Kuehner Drive and Simi Valley-San Fernando Valley Freeway (118), on the one hand, and Santa Anita Race Track, on the other hand.
- b. Passengers shall be picked up and discharged only at points and places to be named in applicant's tariffs and timetables, and situated along the route herein described.
- c. Motor vehicles may be turned at termini or at intermediate points, in either direction, and are to be operated in accordance with governing traffic regulations.
- d. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.

Issued by California Public Utilities Commission.

Decision No. 89749, Application No. 58420.

## SECTION 2. ROUTE DESCRIPTIONS

Route 1: Simi Valley - Zuma Beach Route

Commencing at the intersection of Menlo Street and Kuehner Drive, in the City of Simi Valley, thence via Kuehner Drive, Los Angeles Avenue, Sycamore Drive, Royal Avenue, Madera Road, Olson Road, and Moorpark Road to its intersection with Janss Road, thence via Janss Road, Lynn Road, Ventura Freeway, Ven Tu Park Road, Newberry Street, Theresa Drive, Borchard Road, and Reino Road to its intersection with Potrero Road, thence via the reverse of the above to the intersection of Moorpark Road and Janss Road, thence via Moorpark Road, Thousand Oaks Boulevard, Westlake Boulevard, Agoura Road, Kanan Road, Point Dume Road, and the Pacific Coast Highway to Zuma State Beach.

Route 2: Simi Valley - Del Mar Route

Commencing at the intersection of Madera Road and Los Angeles Avenue in the City of Simi Valley, thence via Los Angeles Avenue, Kuehner Drive, San Fernando Valley-Simi Valley Freeway, De Soto Avenue, Devonshire Street, Arleta Avenue, Van Nuys Boulevard, Golden State Freeway, Santa Ana Freeway, San Diego Freeway (Interstate 5), via De La Valle and service Road into the Del Mar Race Track.

Route 3: Simi Valley - Santa Anita Race Track Route

Commencing at the intersection of Los Angeles Avenue and First Street, in the City of Simi Valley, thence via Los Angeles Avenue, Kuehner Drive, Simi Valley-San Fernando Valley Freeway, Topanga Canyon Boulevard, Devonshire Street, Arleta Avenue, Van Nuys Boulevard, Golden State Freeway, Ventura Freeway (134) Colorado Boulevard, Foothill Freeway (I-210), Baldwin Avenue, Huntington Drive and into parking lot of Santa Anita Race Track.

(END OF APPENDIX J)

Issued by California Public Utilities Commission.

Decision No. 89749, Application No. 58420.

DECISION NO. 89750

NOT USED

December 12, 1978