

TEE/AVM/FS

Decision No. 89890

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application )  
of Richard E. Parks for certifi- )  
cate of public convenience and )  
necessity to operate passenger )  
stage service between the cities )  
of Vacaville, Fairfield, Vallejo )  
and Pinole on one hand and the )  
United Airlines Maintenance Base )  
located at the International )  
Airport, San Francisco, Cali- )  
fornia on the other hand. )

Application No. 58170  
(Filed June 26, 1978)  
(Amended November 13, 1978)

O P I N I O N

Richard E. Parks, an individual, doing business as Parkway Stage, requests by this application a Certificate of Public Convenience and Necessity to operate as a passenger stage corporation in home-to-work service between the Cities of Vacaville, Fairfield, Vallejo and Pinole, on the one hand, and the United Airlines Maintenance Base located at the San Francisco International Airport on the other hand.

Applicant intends to utilize 37-passenger or larger buses to operate the service. Applicant alleges that many employees of the named industry and the said industrial area need transportation and reside in the Cities of Vacaville, Fairfield, Vallejo and Pinole. Applicant states that no comparable public transportation is available between the points proposed in the application.

The application was listed on the Commission's Daily Calendar of June 27, 1978. On November 13, 1978 an Amendment was filed requesting changes in the Exhibit B of the application. 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. No protest has been received.

Applicant proposes to charge the following fares:

Vacaville to Airport	\$12.00/week
Fairfield to Airport	\$11.00/week
Vallejo to Airport	\$10.00/week
Pinole to Airport	\$ 9.00/week

#### F I N D I N G S

1. Public convenience and necessity require the proposed service.
2. The applicant has the ability, equipment and financial resources to perform 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.

#### C O N C L U S I O N

The Commission concludes that the application should be granted. A public hearing is not necessary.

Richard E. Parks 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 Richard E. Parks, an individual, authorizing him 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 A 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 the 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) 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 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.

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

Dated at San Francisco, California, this 16<sup>th</sup> day of JANUARY, 1979.

Robert Butman  
President

Richard D. Howell

Clair T. DeBrie

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Commissioners

Appendix A

Richard E. Parks  
dba  
PARKWAY STAGE

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-1059

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.

Issued under authority of Decision No. 89890,  
dated JAN 16 1979, 1978, of the Public Utilities  
Commission of the State of California, in Application No. 58170.

## SECTION 1: GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS AND SPECIFICATIONS

Richard E. Parks, doing business as Parkway Stage, by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin, is authorized to transport passengers between points in the Cities of Vacaville, Fairfield, Vallejo and Pinole on the one hand, and the United Airlines Maintenance Base located at the San Francisco International Airport on the other hand, 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) All transportation of passengers shall originate at points within the cities hereinafter specified, on the one hand and shall be destined to the United Airlines Maintenance Base at San Francisco International Airport on the other hand, or the reverse and shall be limited to employees of United Airlines or persons seeking employment at United Airlines.
- (b) 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.
- (c) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (d) Passenger stage service shall be operated only at times necessary to meet employee shift changes at the industry served and at other times when necessary to transport persons seeking employment at said industry.

Issued by California Public Utilities Commission.

Decision No. 89890, Application No. 58170.

SECTION 1: GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS AND SPECIFICATIONS (Continued)

- (e) Passenger stage service may be terminated upon ten days' notice to the public and to the Commission should work stoppage occur due to strike, plant closure, plant relocation or any other event affecting the need or necessity for said service.
- (f) Service shall be rendered in over-the-road, reclining seat buses equipped with air conditioning.

SECTION 2: ROUTE DESCRIPTION

Route 1.

Commencing in the City of Vacaville, west on I-80 to the City of Fairfield, thence to the City of Vallejo and thence to the City of Pinole, thence to the junction of I-80 and State Route 101 in San Francisco, south on State Route 101 to the United Airlines Maintenance Base at the San Francisco International Airport.

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

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