

Decision No. 90728

AUG 28 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of WAYNE L. PARKER, an individual,
dba FT. IRWIN BUS POOL, for
authority to operate as a pas-
senger stage corporation in a
home-to-work service between
points in Barstow and Ft. Irwin
in the San Bernardino County area.

Application No. 58944
(Filed June 20, 1979)

O P I N I O N

Wayne L. Parker, an individual, dba Ft. Irwin Bus Pool, requests a certificate of public convenience and necessity to operate as a passenger stage corporation in a "home-to-work" service between any points in the city limits of Barstow, on the one hand, and Ft. Irwin Reserve Component Training Center (RCTC) located in San Bernardino County, on the other hand, for the purpose of transporting military personnel assigned to Ft. Irwin RCTC, and/or their dependents and civilian employees of Ft Irwin RCTC.

The proposed routes are set forth in Exhibit A attached to the application.

Applicant proposes a \$15.00 weekly fare applicable to Monday-through-Friday schedules.

In addition, applicant plans to offer Saturday and Sunday service with a fare of \$3 round trip per passenger.

The proposed scheduled departure times from Barstow and Ft. Irwin RCTC are 6:30 a.m. and 4:00 p.m., respectively, and times of arrival at Ft. Irwin RCTC and Barstow are 7:30 a.m. and 5:00 p.m., respectively.

A description of the equipment to be used is one 40-passenger 1966 GMC bus and one 40-passenger 1966 Chevrolet bus which is to be used as a "back-up" vehicle in the event of a breakdown. Both buses are owned by applicant. At the present time there is no bus transportation available along the route proposed to be served by applicant.

The application was listed on the Commission's Daily Calendar on June 21, 1979. 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.

After consideration, the Commission finds that public convenience and necessity require the granting of the application. A public hearing is not necessary.

Applicant 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 Wayne L. Parker, an individual, dba Ft. Irwin Bus Pool, to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between any points in the city of Barstow, on the one hand, and Ft. Irwin Reserve

Component Training Center (RCTC), located in San Bernardino County, on the other hand, and subject to the conditions set forth in Appendix A of this decision.

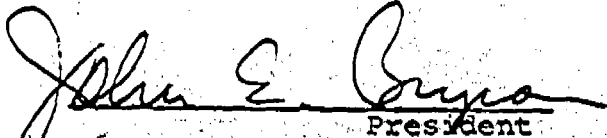
2. In providing the service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure to do so may result in a cancellation of the authority.

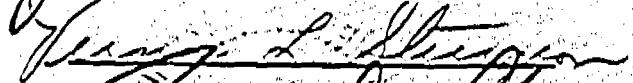
- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. Applicant is placed on notice that if he accepts the certificate he will be required, among other things, to comply with the safety rules administered by the California 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) 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 Order 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 is the date hereof to accommodate the immediate need for the transportation service.

Dated AUG 28 1979, at San Francisco, California.


President






Commissioners

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

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Appendix A

WAYNE L. PARKER
doing business as
FT. IRWIN BUS POOL

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
PSC - 1081

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. **90728**
dated AUG 28 1979, of the Public Utilities
Commission of the State of California, in Application No. 58944.

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Appendix A

WAYNE L. PARKER
doing business as
FT. IRWIN BUS POOL

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I N D E X

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SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS	2

Issued by California Public Utilities Commission.

Decision No. 90728, Application No. 58944.

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

Wayne L. Parker, doing business as Ft. Irwin Bus Pool, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to operate as a passenger stage corporation between any points in the city limits of Barstow, on the one hand, and Ft. Irwin Reserve Component Training Center (RCTC), located in San Bernardino County, on the other hand, over and along the most direct or reasonable route or routes subject, however, to the authority of this Commission to change or modify such routes 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 (1) military personnel and/or their dependents, and (2) civilian employees assigned to Ft. Irwin RCTC.
- (d) Passengers shall be picked up and discharged only at points and places to be named in applicant's tariffs and timetables filed with the Commission.
- (e) Carrier shall identify all terminals served in timetables on file with the Commission.

(END OF APPENDIX A)