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Decision No. 90945 OCT 23 1979

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of Application of  
 Tim Bateman doing business as  
 TLB Bus Lines, for certificate  
 of public convenience and neces-  
 sity to operate a passenger stage  
 commuter service to Kerr McGee  
 Chemical Corporation in Trona  
 from Ridgecrest.

Application No. 58878  
 (Filed May 21, 1979)

O P I N I O N

Timothy J. Bateman, an individual, doing business as TLB Bus Lines, requests a certificate of public convenience and necessity to operate as a passenger stage corporation between any points within the city limits of Ridgecrest, on the one hand, and the Kerr McGee Chemical Corporation located at Trona in San Bernardino County, on the other hand, limited to employees of the Kerr McGee Chemical Corporation and to individuals seeking employment at the Kerr McGee facilities.

At present there is no existing public transportation available between the points that applicant proposes to serve and the applicant states that employees and prospective employees of the named industry are in urgent need of the service.

The applicant proposes a scheduled service including Saturday, Sunday, and all holidays, to meet established work shifts.

A description of the equipment to be used is one 29-passenger 1967 GMC bus. The proposed routes are set forth in Exhibit-C, attached to the application.

The proposed round trip fares are as follows:

From/To Kerr McGee at Trona	Daily Fare	Weekly (7 Days) Fare	Monthly (21 days) Fare
Round-Trip	\$1.50	\$10.00	\$30.00

The application was listed on the Commission's Daily Calendar on May 22, 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 Timothy J. Bateman, an individual, to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between any points within the city limits of Ridgecrest, on the one hand, and the Kerr McGee Chemical Corporation located at Trona 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 five days after the effective date of this order on not less than five 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 of 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 OCT 23 1979, at San Francisco, California.

Commissioner JOHN E. BRYSON

Present but not participating.

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

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President

*Richard D. Lovell*  
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*Charles J. ...*  
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*Francis J. ...*  
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Commissioners

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Appendix A

TIMOTHY J. BATEMAN  
doing business as  
TLB BUS LINES

Original Title Page

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
PSC - 1090

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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. 90945  
dated OCT 23 1979 of the Public Utilities Commission  
of the State of California, in Application No. 58878.

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Appendix A

TIMOTHY J. BATEMAN  
doing business as  
TLB BUS LINES

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

Timothy J. Bateman, doing business as TLB Bus Lines, 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 within the city limits of Ridgecrest, on the one hand, and the Kerr McGee Chemical Corporation, located at Trona in San Bernardino County, on the other hand, over and along the routes hereinafter described, 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) Service shall be limited to transportation of passengers between points within the city limits of Ridgecrest on the one hand, and the various buildings and installations of the Kerr McGee Chemical Corporation, located at Trona in San Bernardino County, on the other hand, and shall be limited to the employees of or persons seeking employment at the Kerr McGee facilities.
- (d) Passengers may not board or be discharged at any intermediate points.

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Appendix A

TIMOTHY J. BATEMAN  
doing business as  
TLB BUS LINES

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SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,  
AND SPECIFICATIONS. (Contd.)

- (e) Passenger stage service shall be operated only  
at times necessary to meet employee shift  
changes or regular working days.

Issued by California Public Utilities Commission.  
Decision No. 90945, Application No. 58878.

## SECTION 3. ROUTE DESCRIPTIONS.

Beginning at any point within the city limits of Ridgecrest along the most appropriate route or routes to State Highway 178, thence north on State Highway 178 to Trona Road, continue in a north-westerly direction on Trona Road to Main Street, thence due west on Main Street to the Kerr McGee Chemical Corporation facilities located at 13200 Main Street in Trona.

( END OF APPENDIX A )