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Decision No. 91170 DEC 18 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of Mission Trails Charter )  
Service, Inc. for authority to )  
extend its passenger stage )  
service in the same general )  
vicinity as its existing service )  
in the Foster City/San Mateo )  
area. )

**ORIGINAL**

Application No. 59117  
(Filed September 5, 1979)

O P I N I O N

Mission Trails Charter Service, Inc. ("Mission Trails") operates as a passenger stage corporation along routes between the Foster City/San Mateo area, on the one hand, and central San Francisco, on the other hand. This service is provided with full-sized buses and is principally oriented to the peak period commute periods, providing a way for residents of the Foster City/San Mateo area to reach their places of employment in San Francisco. It is operated pursuant to Commission Passenger Stage Certificate PSC-911. Applicant also operates a general charter bus service pursuant to Commission Charter Certificate TCP-221-A.

By this application, Mission Trails requests authority to expand its passenger stage operations to serve additional neighborhoods in the same general vicinity as its present area of service. The newly-served neighborhoods would include "Mariner's Island" and "Plum Island", both located in the San Mateo/Foster City area, and are areas of recent residential development.

The proposed services will be provided for fares identical to those presently authorized for transportation to and from adjacent points, and would be accommodated through a restructuring in schedules operated, from eight to ten, in each direction. Applicant alleges that there is no existing commute bus service between the subject neighborhoods and San Francisco, and that residents of these neighborhoods have requested Mission Trails to extend its service to include them.

The application was served on Greyhound Lines, Inc., the cities of Foster City and San Mateo, the San Mateo County Transit District, and Falcon Charter Service, in addition to its being noted on the Commission's Calendar. Support for the prompt inauguration of the proposed service has been expressed by the Mariner's Green Homeowners Association and the Foster City Transportation Committee, and the Bus Service Development Unit of the Commission's Transportation Division has assisted the applicant in preparing for this expansion in commuter bus service. The Transportation Division recommends that, in the absence of protest, this application be granted by ex parte order. No protests have been received.

After consideration, the Commission finds that public convenience and necessity requires the granting of this application, as set forth in the order that follows. 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 Mission Trails Charter Service, 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 A of this decision. This new certificate shall become effective concurrently with the effective date of the tariff and timetable filings required by paragraph 3(b).
2. The Certificate of Public Convenience and Necessity

authorized to Mission Trails Charter Service, Inc. by Decision No. 87762 in Application No. 57402, as subsequently revised by Resolution No. PE-353, is revoked effective concurrently with the effective date of the tariff and timetable filings required by paragraph 3(b).

3. In providing 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 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.

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

Dated DEC 18 1979, at San Francisco, California.

John E. Bryson  
President  
William L. Sturgeon  
Richard J. Howell  
Alvin T. ...  
Samuel ...  
Commissioners

Appendix A

MISSION TRAILS CHARTER  
SERVICE, INC  
(a corporation)

Original Title Page

INTERIM CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION

PSC-911

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 Interim Decision No. 91170, dated  
DEC 18 1979, of the Public Utilities Commission of the  
State of California, in Application No. 59117.

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

The certificate hereinafter noted temporarily and conditionally supersedes all passenger stage operative authority heretofore granted to Mission Trails Charter Service, Inc. and/or to Falcon Charter Service.

Mission Trails Charter Service, Inc., a California corporation, by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation, to transport passengers between Foster City and San Mateo on the one hand, and the City of San Francisco, on the other hand, over 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) 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) Applicant shall not pick up or discharge passengers except along the routes hereinafter described within the City of Foster City and the City of San Mateo, and/or within the City and County of San Francisco as hereinafter set forth.
- (d) The "Commercial District" as used herein includes that area bounded by Kearny Street, Jackson Street, Battery Street, California Street, Market Street, The Embarcadero, Folsom Street, Sixth Street, Taylor Street, and Sutter Street.
- (e) The "Civic Center District" as used herein includes that area bounded by Turk Street, Polk Street, Grove Street and Larkin Street.

Issued by California Public Utilities Commission, Decision 91170 in application 59117.

## SECTION 2. ROUTE DESCRIPTIONS.

ROUTE NO. 1 EXPRESS ROUTE

In the City of Foster City, commencing at the intersection of Gull Avenue and East Hillsdale Boulevard, thence via Gull Avenue, Beach Park Boulevard, Shell Boulevard, Bounty Drive, Foster City Boulevard, East Hillsdale Boulevard, Edgewater Boulevard, Mariners Island Boulevard, and Third Avenue to U.S. Highway 101 to the "Commercial District" and/or the "Civic Center District" in the City and County of San Francisco, using the most appropriate streets or highways within the City and County of San Francisco to reach said districts.

ROUTE NO. 2 LOCAL ROUTE

In the City of Foster City, commencing at the intersection of Edgewater Boulevard and East Hillsdale Boulevard, thence via Edgewater Boulevard, Altair Avenue, Polaris Avenue, Beach Park Boulevard, Jamicia Street, Port Royal Avenue, Boothbay Avenue, Chesapeake Avenue, Biscayne Avenue, Edgewater Boulevard, Pitcairn Drive, Grenada Loop, Pitcairn Drive, Edgewater Boulevard, and East Hillsdale Boulevard to U.S. Highway 101; thence along U.S. Highway 101 to "Commercial District" and/or "Civic Center District" in the City and County of San Francisco using the most appropriate streets or highways within the City and County of San Francisco to reach said districts.

(End of Appendix)