

Decision No. 91871 JUN 3 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of COMMUTER BUS LINES, INC. for)
authority to extend its passenger)
stage commuter service to Warner)
Center in Canoga Park.)

Application No. 59242
(Filed October 29, 1979)

O P I N I O N

By this application, Commuter Bus Lines, Inc. seeks authority to extend its passenger stage service. Applicant currently holds a Certificate of Public Convenience and Necessity to operate as a Passenger Stage Corporation (PSC-453).

The applicant proposes to provide home-to-work transportation service to passengers living in the El Segundo and Downey areas, and working in the Warner Center area.

The applicant alleges that:

1. There is no existing service between points that applicant proposes to serve, or existing services are not routed and scheduled to meet the demands of the commuters.

2. The causes of energy conservation and environmental protection require the establishment of the proposed service.

3. The cost to the individual of owning and operating a private auto for commuting to work is increasing rapidly.

4. The cost to taxpayers in dollars, as well as the cost to society in terms of environmental problems, may slow or halt the expansion of necessary facilities such as roads, traffic control and parking that are required for the continued use of the private auto for commuting.

5. Tax subsidies available or likely to become available for transit are inadequate to provide for all of the public transportation services that are demanded, resulting in the need for private enterprise to assist in meeting this demand.

6. The cost structure of publicly owned transit systems is such that it is not economically feasible to make significant increases in peak-hour commute service when productive use (and needed funding) cannot be found in order to utilize otherwise idle buses and drivers in the midday.

7. The cost structure of existing privately owned carriers is apparently such that they also do not wish to serve the commuter market, in cases where additional buses and drivers are required only for peak-hour service.

The application was listed on the Commission's Daily Calendar on October 30, 1979.

The Commission's Transportation Division staff, in a letter dated December 24, 1979, requested that the applicant specify the pickup points to be served. On April 17, 1980, the applicant wrote a letter to the Commission which included the required information.

The Commission's Transportation Division staff has reviewed the application and accompanying letter, 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.

F I N D I N G S

1. Applicant has the experience, equipment, personnel, and financial resources to institute and maintain the proposed service.
2. Public convenience and necessity require the granting of the application.
3. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
4. There are no protests to the application, as amended, and a public hearing is not necessary.

C O N C L U S I O N

The Commission concludes that the application should be granted as set forth in the ensuing order.

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 Commuter Bus Lines, Inc., a corporation authorizing it to extend operations 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 M of this decision.
2. 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.

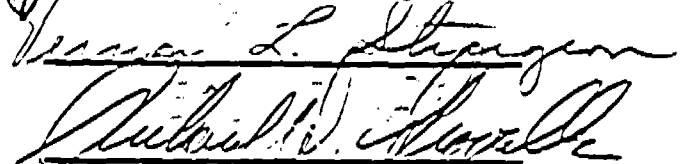
- d. The tariff and timetable filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs and timetables set forth in the Commission's General Orders Nos. 79-Series and 98-Series.
- e. Applicant shall maintain its accounting records on a calendar-year 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.

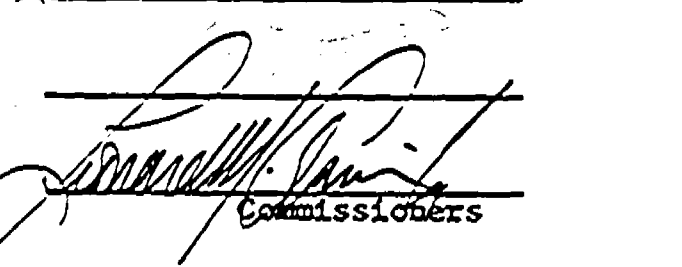
Dated JUN 3 1980, at San Francisco, California.



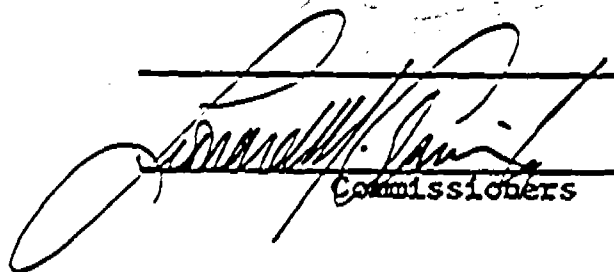
President



Commissioner



Commissioners



Commissioners

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

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

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. 91871
dated JUN 2 1950 of the Public Utilities Commission
of the State of California, in Application No. 59242.

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

Commuter Bus Lines, Inc., by the decision noted in the margin, is authorized to extend its passenger stage commuter service to Warner Center in Canoga Park subject to the following conditions and restrictions:

- (a) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (b) Passengers shall be delivered only to destinations within a one-half mile radius from the intersection of Canoga Avenue and Victory Boulevard (Canoga Park).

SECTION 2. ROUTE DESCRIPTIONS

Route 90- El Segundo and Culver City to Warner Center

Beginning at the intersection of Douglas Street and Mariposa Avenue (El Segundo), thence along Douglas Street, Imperial Highway, the San Diego Freeway, the Ventura Freeway and Canoga Avenue to Warner Center. Return via reverse of route.

Route 91- Downey to Warner Center

Beginning at the intersection of Imperial Highway and Bellflower Boulevard, thence along Bellflower Boulevard, Lakewood Boulevard, the Santa Ana Freeway, the Golden State Freeway, the Ventura Freeway and Canoga Avenue to Warner Center. Return via reverse of route.

Issued by California Public Utilities Commission.

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SECTION 3. PICK-UP POINTS

Route 90 - El Segundo and Culver City to Warner Center

Pick-up points shall be only at locations within one-half mile on either side of the route from Douglas Street and Mariposa Avenue on the south, to the San Diego Freeway and Slauson Avenue on the north, both points inclusive.

Route 91 - Downey to Warner Center

Pick-up points shall be only at locations within one-half mile on either side of the route from Imperial Highway and Bellflower Boulevard on the south, to Lakewood Boulevard and the Santa Ana Freeway on the north, both points inclusive.

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