

Decision No. 91939

JUN 17 1980

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
ABBEY TRANSPORTATION SYSTEM, INC.)
For certificate of public convenience)
and necessity to operate PASSENGER)
service between Avenal, Kettleman)
City, Stratford, Armona, Grangeville,)
Lemoore, Corcoran, Guernsey and)
Hanford.)

ORIGINAL

Application No. 59518
(Filed March 14, 1980)

O P I N I O N

By this application, Abbey Transportation System, Inc. seeks authority to establish a passenger stage service between Avenal, Kettleman City, Stratford, Armona, Grangeville, Lemoore, Corcoran, Guernsey and Hanford.

Applicant proposes to conduct the proposed service with six 12-passenger vans, one of which is equipped for use of the handicapped, and to also be used as a backup vehicle.

The proposed one-way fares are as follows:

<u>Service</u>	<u>Fare</u>
Intra-City (including fringe areas)	\$0.50
Between Hanford and Lemoore	0.75
Between Hanford and the Cities of Avenal and Corcoran (including Kettleman City and Stratford)	1.00

Scheduled trips between cities with reasonable route deviation; and Demand Response (On-Call service) within the cities and during mid-day of peak periods is proposed as indicated in the following schedule:

<u>Location</u>	<u>Service Type</u>	<u>Hours of Service</u>
Avenal	2 round trips to Hanford and/or demand responsive in area (5 days per week).	8:30 a.m. to 4:30 p.m.
Corcoran	2 round trips to Hanford and/or demand responsive in Corcoran area (5 days per week).	8:30 a.m. to 4:30 p.m.
Lemoore	Demand responsive in Lemoore area.	8:30 a.m. to 4:30 p.m.
Hanford	Demand responsive in Hanford area (including Armona and fringe area).	8:30 a.m. to 4:30 p.m.
Hanford/ Lemoore Corridor	Shuttle service with route deviation between Hanford and Lemoore (on two hour headway; 5 days per week).	6:30 a.m. to 6:30 p.m.

The applicant's balance sheet, as of December 31, 1979, shows assets of \$1,082,985 and indicates an equity of \$550,646.

Applicant has served notice of the application on Kings County and the City of Hanford. Applicant alleges that there is no other rail or stageline furnishing the transportation service between points Abbey Transportation System, Inc. is proposing to serve.

Notice of this application was listed on the Commission's daily calendar on March 17, 1980. No protests have been received.

The requested authorized service routes are described in Appendix A, attached hereto.

Inasmuch as use of this proposed transportation service would probably reduce the auto vehicular usage with a resultant reduction in air pollution, there is no possibility that the service would have an adverse effect on the environment.

The Commission's Transportation Division recommends that the authority be granted ex parte, as the transportation service is presently needed. Applicant indicates it is ready to commence service as soon as authorized to begin operation.

F I N D I N G S

Upon consideration of the evidence, the Commission finds as follows:

1. Abbey Transportation System, Inc. seeks authority to operate as a passenger stage corporation providing service between Avenal, Kettleman City, Stratford, Armona, Grangeville, Lemoore, Corcoran, Guernsey and Hanford.
2. There is no other transportation company presently offering this passenger service in this area.
3. Applicant has the equipment available, expertise and financial resources to institute and maintain the proposed service.
4. The proposed fares appear to be justified.
5. The Commission staff supports the application.
6. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
7. A public hearing is not necessary.
8. Applicant has demonstrated that public convenience and necessity require granting of the application.

C O N C L U S I O N S

It is concluded that the sought authority should be granted. Since there are no protests, and since the public will benefit from immediate institution of the service, the following order should be effective the date of signature. Abbey Transportation System, Inc. 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 Abbey Transportation System, Inc. authorizing it to operate as a passenger stage corporation, as defined in Section No. 226 of the Public Utilities Code, between the points and over the routes as described in Appendix A hereof.

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 of 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 the 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 is the date
hereof.

Dated JUN 17 1980, at San Francisco, California.

John A. Bryan
President
Norman L. Steingard

Clare T. Smith
Thomas W. Smith
Commissioners

Commissioner Richard D. Gravello, being
necessarily absent, did not participate
in the disposition of this proceeding.

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
PSC-1122
TO OPERATE AS A
PASSENGER STAGE CORPORATION

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. 91939 dated JUN 17 1980
of the Public Utilities Commission of the State of California in
Application No. 59518.

APPENDIX A ABBEY TRANSPORTATION SYSTEM, INC. Original Page One
(PSC-1122)

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

Abbey Transportation System, Inc., 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 for the transportation of passengers and their baggage over the routes hereinafter described and subject to the following provisions and restrictions:

- (a) When route descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.
- (b) Route descriptions listed in Section 2 also include intermediate points on the routes between the points indicated.
- (c) Passenger service shall be on a daily basis, excluding Sundays and Holidays.
- (d) Demand Response (On-call Service) will be offered within the areas listed in Section 2 (4) and times listed in the tariffs and/or timetables to be on file.

The term "demand response (on-call)" as used herein refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs and timetables shall show the conditions under which each authorized "on-call" service will be rendered.

Issued by California Public Utilities Commission.

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APPENDIX A ABBEY TRANSPORTATION SYSTEM, INC. Original Page Two
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SECTION 2. ROUTE DESCRIPTIONS.

Subject to the authority of the Commission to change or modify such at any time, Abbey Transportation System, Inc., shall conduct its passenger stage operations between the following points and over and along the following route descriptions:

(1) Aneval to Hanford

Commencing in Aneval, south on State Highway 33 to State Highway 41; north on Highway 41 to Kent Avenue; east on Kent Avenue to 17th Avenue; north on 17th Avenue to Jersey Avenue; west on Jersey Avenue to 18th Avenue; north on 18th Avenue; through the City of Lemoore to Hanford-Armona Road; east on Hanford-Armona Road to the City of Hanford. Includes the areas of the Communities of Kettleman City, Stratford, Santa Rosa Ranchero, and Armona.

(2) Corcoran to Hanford

Commencing in the City of Corcoran, north on State Highway 43 to the City of Hanford.

(3) Hanford to Lemoore

Commencing in the City of Hanford, southwesterly on State Highway 198 to the City of Lemoore. Includes Armona and the adjacent area bounded by State Highway 43 to the east, Fargo Avenue to the north, State Highway 41 to the west and Jackson Avenue to the south.

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APPENDIX A ABBEY TRANSPORTATION SYSTEM, INC. Original Page Three
(PSC-1122)

SECTION 2. ROUTE DESCRIPTIONS. (Continued)

(4) Demand Response (On-call Service)

Demand Responses service will be available in the Cities of Corcoran, Hanford, Lemoore and the community of Aneval, as bounded by the intersection of State Highway 33 and Seventh Avenue to the South, Corcoran Avenue to the East, 1/10 of a mile north of Alpine Street to the North and State Highway 33 to the Southwest, but including Aneval Airport.

(END OF THE APPENDIX A)

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