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Decision No. 93010 July 2, 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of PARTY LINES, INC., for a certificate of public convenience and necessity to operate as a passenger stage corporation between points in the city of San Francisco and points in the Russian River resort area of Sonoma County.

Application No. 59544
(Filed March 28, 1980)

O P I N I O N

By application filed March 28, 1980, Party Lines, Inc. (applicant) seeks a certificate of public convenience and necessity issued pursuant to Sections 1031 et seq., of the California Public Utilities Code to establish and operate a passenger service for the transportation of passengers and their baggage between certain points in the city of San Francisco and certain points in the Russian River resort area on Fridays, Saturdays, Sundays, and holiday weekends between April 1 and September 30.

Applicant proposes to offer transportation from certain points in San Francisco to all points in the Russian River area, as well as the converse, for a flat rate of \$10.00 per passenger. Applicant has proposed three different routes which will extend service between Union Square, the Marina Green, Market/17th Street, California/Polk Street, Lincoln Way/ 19th Avenue, or Stonestown Shopping Center in San Francisco and Monte Rio, Guerneville, or Sebastopol in the Russian River area. No local transportation will be provided within Sonoma County or within the city of San Francisco. Each passenger will be entitled to have two suitcases carried free of charge. Reservations will be required in advance.

Service will be provided in 3 1980 Brougham Commuters and there will be seating for 12 to 20 passengers. The vehicles will be fully carpeted and equipped with interior reading lights for individual seats, front and rear air-conditioners, large view windows, and running board assist steps on each side. The vehicles will have 33-50-gallon fuel tanks, and will be converted for propane use which will permit use of propane as an alternative fuel.

Applicant states that all such vehicles, or any other vehicles it uses, will be covered by liability insurance in amounts that exceed the minimum required by the Commission. Applicant also represents that the vehicles will be garaged, serviced, and maintained at its vehicle service facilities. Servicing and maintenance will be performed by applicant's employees with the assistance of outside firms for major items as necessary.

Applicant contends that it has sufficient financial resources to institute and operate the proposed service and has submitted a copy of its financial statement attached to the application as Exhibit E as evidence thereof.

In support of its request for a certificate of public convenience and necessity, applicant contends that its proposed service will serve the public interest in the following ways:

- a. The service offered by applicant is different and distinct from any public transportation currently being offered to the public in the proposed areas. There is no regular direct and public service to and from San Francisco and the Russian River resort area during the tourist season.
- b. There is no public service available to individuals who wish to visit the Russian River resort area for a single day.

- c. Applicant proposes to offer direct service with an approximate 2-hour running time. The use of large vans will make the transportation more personal and more comfortable. There will be six convenient pickup points in the city of San Francisco.

Finally, applicant contends that the grant of authority for the proposed operation will have no significant adverse impact upon the environment of the areas to be served. Applicant maintains that its service would be a benefit to the environment and to the public since it would result in a reduction of private vehicles on the roads. Applicant also notes that its vehicles will be powered by a combination of propane and gas.

Application No. 59544 was noticed on the Commission's Daily Calendar of March 31, 1980. Copies of the instant application were also served upon interested or affected parties. No protests of the application were received. The staff of the Surface Passenger Engineering Section has reviewed the application and the proposed service and has recommended ex parte approval.

Based upon all of the foregoing, the Commission concludes that the issuance of a certificate of public convenience and necessity as sought by Party Lines, Inc. is in the public interest; and the Commission will so order.

Since applicant's proposed service is essentially oriented toward summer travel and recreation, it is necessary that this order be given immediate effect to allow applicant to offer and operate the service this year.

Findings of Fact

1. Applicant possesses the ability, equipment, and financial resources to perform the proposed service.
2. There is public need for applicant's proposed service.

3. There is no known opposition to the proposed service.
4. Public convenience and necessity require that the service proposed by applicant be certificated.
5. Need for immediate commencement of the proposed service has been demonstrated.
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.

Conclusion of Law

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 Party Lines, Inc. authorizing it to operate a passenger stage service, to transport passengers and their baggage as defined in Section 226 of the Public Utilities Code, between the points and over the routes particularly set forth in Appendix A attached hereto and made a part 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 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 is the date hereof.

Dated JUL 2 1980, at San Francisco, California.

John E. Bryson
President
Richard L. Thompson
Robert W. Howell
Clare J. S. Smith
Samuel W. Smith
Commissioners

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC - 1125

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. **92010**, dated **JUL 2 1980**,
of the Public Utilities Commission of the State of California, in
Application No. 59544.

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

Party Lines, Inc., by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage between certain points in San Francisco and certain points in the Russian River resort area of Sonoma County, hereinafter described in Section 2 and 3, over and along 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 the intersection of roads or by operating around an area 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 operated Fridays, Saturdays, Sundays and Holiday Weekends during the seasonal period April 1 through September 30 of each year.
- (d) Applicant shall not pick up or discharge passengers except at the specified service point or points as hereinafter set forth.
- (e) No local service shall be provided between points within Sonoma County or between points within the City of San Francisco.

Issued by California Public Utilities Commission.

Decision No. 92010, Application No. 59544.

SECTION 2 SERVICE POINTS:

1. San Francisco

- (a) Market at 17th Street
- (b) Polk at California Street
- (c) Stonestown Shopping Center
- (d) 19th Ave at Lincoln
- (e) Union Square
- (f) Marina Green

2. Sonoma County

- (a) Monte Rio
- (b) Guerneville
- (c) Sebastopol

SECTION 3 ROUTE DESCRIPTIONS

Route 1

Commencing at Union Square in San Francisco east on Post Street to Kearny Street, north on Kearny Street to Sutter Street, west on Sutter Street to Van Ness Avenue (State Route 101) north on State Route 101 to State Route 116 west on State Route 116 to Monte Rio. Return over the same route.

Route 2

Commencing at 17th Street and Market Street in San Francisco east on Market Street to Franklin Street north on Franklin Street to Polk Street, north on Polk Street to Pine Street west on Pine Street to Van Ness Avenue (State Route 101) north on State Route 101 State Route 116, west on State Route 116 to Monte Rio. Return over the same route.

Route 3

Commencing at the Stonestown Shopping Center, 19th Avenue and Winston in San Francisco, north on 19th Avenue (State Route 1) to Park Presidio Boulevard (State Route 1), north on Park Presidio Boulevard to State Route 101, north on State Route 101 to State Route 116, west on State Route 116 to Monte Rio. Return over the same route.

Issued by California Public Utilities Commission.

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