

Decision No. 92087 JUL 29 1980**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of STORER TRANSPORTATION SERVICE,)
INC., a California Corporation,)
for the authority to operate route)
for transportation of passengers)
between Hickman-Waterford-Hughson-)
Empire-Modesto, California and)
certain points between.)

Application No. 59654
(Filed May 14, 1980)

O P I N I O N

Storer Transportation Service, Inc., a California Corporation, seeks an interim Certificate of Public Convenience and Necessity to extend their operations as a passenger stage corporation to transport passengers and their baggage between Hickman and Modesto with intermediate points.

By Decision No. 81558 dated July 3, 1973, applicant was granted the authority to purchase and acquire the operative rights (PSC-930) of Willis M. Kleinenbroich, doing business as Modesto Riverbank Oakdale Stage Line, to operate a passenger stage corporation between Modesto and Oakdale.

Applicant states that to its knowledge, no one is operating the proposed service. Applicant proposes to utilize 15-passenger vans to operate the service. Service is to be performed on a regularly scheduled basis five days a week with two round trips per day. No weekend or Holiday service is proposed. Service is to connect with Modesto Motor Bus Service and Modesto Riverbank Oakdale Stage Line.

Applicant has applied for subsidy funds under Senate Bill 620 and therefore requests that the authority expire two years after the date of the decision.

Applicant states that there is a growing need for public transit in Stanislaus County due to higher and higher costs for the private automobile.

Applicant proposed the following rates:

Fares in \$	MODESTO	EMPIRE	HUGHSON	WATERFORD	HICKMAN
MODESTO	.50	.85	1.00	2.00	2.00
EMPIRE	.85	.50	.50	.85	.85
HUGHSON	1.00	.50	.50	1.00	1.00
WATERFORD	2.00	.85	.85	.50	.50
HICKMAN	2.00	.85	1.00	.50	.50

\$0.50 MINIMUM FARE

The application was listed on the Commission's Daily Calendar of May 16, 1980.

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. No protest has been received.

F I N D I N G S

1. Public Convenience and Necessity require the proposed service.
2. The applicant has the ability, equipment, and financial resources to perform the services as proposed.
3. The proposed fares are reasonable.
4. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

C O N C L U S I O N S

The Commission concludes that the application should be granted as provided in the order that follows. A public hearing is not necessary. There is a present need for these passenger stage services and applicant having the ability to commence operations quickly, the effective date of this order should be the date hereof.

Applicant is placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized nor used as an element of value in rate fixing for any amount in excess of that originally paid to the State as the consideration for the granting 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 cancelled 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 Storer Transportation Services, Inc. authorizing it to extend its operations as a passenger stage corporation, to

transport passengers and their baggage as defined in Section 226 of the Public Utilities Code, between the points and over the route set forth in Appendix A of this decision.

2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following 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 the date hereof.

Dated JUL 29 1980, at San Francisco, California.

John L. Ryan
President

William L. Sturgeon

Nathan D. Gould

Donald W. Jones

Clare T. Daniels
Commissioners

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE AS A
PASSENGER STAGE CORPORATION
PSC - 930 - B

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.

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

Storer Transportation Service, Inc., 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 and their baggage between Hickman and Modesto with intermediate stops over and along the route 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) Authority shown in this Appendix shall expire two years from the effective date of the decision noted in the margin unless further extended or otherwise modified by the Commission.

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SECTION 2. ROUTE DESCRIPTION .

Modesto-Hickman

Commencing at 9th and I Street in Modesto, east on I Street to 17th Street, south 17th Street to G Street, east on G Street to Burney Street, north on Burney Street to Scenic Drive, east on Scenic Drive to El Vista Avenue, south on El Vista Avenue to Yosemite Boulevard (State Route 132), east on SR 132 to A Street in Empire, north on A Street to 2nd Street, east on 2nd Street to Church Street, north on Church Street to Summit Way, west on Summit Way to Funston Way, south on Funston Way to Ebbett Way, east on Ebbett Way to Church Street, south on Church Street to 1st Street, east on 1st Street to G Street, south on G Street to SR 132 to South Abbie Street, south on South Abbie Street to South Avenue, west on South Avenue to Santa Fe Avenue, south on Santa Fe Avenue to Hatch Road in Hughson, East on Hatch Road to Tully Road, south on Tully Road to Locust Street, east on Locust Street to Charles Street, south on Charles Street to Whitmore Avenue, east on Whitmore Avenue to 7th Street, north on 7th Street, to Fox Road, east on Fox Road to Geer Road, north on Geer Road to SR 132, east on SR 132 to Pasadena Avenue in Waterford, north on Pasadena Avenue to Kadota Avenue, east on Kadota Avenue to Western Avenue, north on Western Avenue to Oakdale-Waterford Highway,

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SECTION 2. ROUTE DESCRIPTION. (Continued)

east on Oakdale Waterford Highway to Dorsey Avenue, east on Dorsey Avenue to C Street, north on C Street to Bonnie Brae Avenue to Tim Bell Road, south on Tim Bell to Welch Road, west on Welch Road to D. Street, north on D Street to Bentley Street, west on Bentley Street to South Hickman Road, south on South Hickman Road to 6th Street in Hickman, east on 6th Street to Montpelier Road, north on Montpelier Road to Lake Road, west on Lake Road to South Hickman Road. Return over the reverse of the route until Scenic Drive and H Street, thence west on H Street to 9th Street, north on 9th Street to intersection of 9th and I Street.

(END OF APPENDIX)

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