

ORIGINAL

Decision No. 92127 AUG 19 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Richard A. Gregory, an individual, dba Sunset Coast Bus Lines, for authority to operate as a passenger stage corporation in a home-to-work service between points in Orange County and the Garrett AiResearch Facility in Torrance.

Application No. 59438
(Filed February 7, 1980;
amended May 28, 1980)

O P I N I O N

Applicant Richard A. Gregory, dba Sunset Coast Bus Lines, seeks a certificate of public convenience and necessity under Section 1031 et seq. of the California Public Utilities Code (Code) to operate a passenger stage corporation as defined under Code Section 226 to transport passengers between certain points in the cities of Newport Beach, Costa Mesa, Fountain Valley, and Westminster, Orange County, and Garrett AiResearch facilities (GAF) in the city of Torrance, Los Angeles County. Applicant proposes to operate a daily Monday-through-Friday, inclusive, home-to-work round-trip commuter schedule, which would depart from the most distant point on the scheduled route at 6:40 a.m. and arrive at GAF at 7:45 a.m. and would return from GAF at 5:20 p.m. and arrive at the most distant point on the route at 6:25 p.m. Applicant proposes a \$19 per week fare for the round-trip service using a 53-passenger General Motors Model SD Suburban bus, 1965-1968 model, equipped with reclining seats and air conditioning. The fare schedule provides for a \$3.80 per day proration if a passenger does not ride the

bus for two or more days due to illness or for educational purposes. Applicant will reserve seats, without charge, for GAF employees on their annual vacation leave. Applicant would defer purchase of the bus pending favorable Commission action. Applicant proposes to carry liability insurance in amounts that exceed the minimum required under the Commission's General Order No. 101-C. Applicant states that he has a net worth of \$24,300 consisting of total assets of \$24,800, including \$3,000 in savings and \$2,800 in bonds, and total liabilities of \$500.

Applicant states that Mark IV Charter Lines agreed to charter a 53-passenger bus to applicant, as needed, for backup purposes.

Applicant projects annual gross operating revenues of \$42,750 at an 85 percent capacity factor; operating expenses of \$40,061; and net income, exclusive of income taxes, of \$2,689.

Applicant alleges that public convenience and necessity require the granting of the certificate because (1) the proposed services are different and distinct from any public transportation system currently being offered to the public in the proposed areas; (2) the use of applicant's bus would save the use of individual personal automobiles; and (3) the existing Orange County passenger stage operators provide transportation to several aerospace facilities in the Los Angeles International Airport area, but none of these operations pick up passengers in the areas proposed to be served by applicant nor do they transport them directly to GAF.

P
T

Applicant states that he is currently employed as a bus operator for the city of Torrance and proposes to operate the bus. He states that he has three years of experience with a home-to-work passenger stage corporation as a driver and as a supervisor. Servicing and maintenance will be performed by applicant and by a maintenance supervisor currently employed by another bus line.

Applicant served a copy of the application upon the City Clerks of Costa Mesa, Fountain Valley, Westminster, and Newport Beach and upon the Southern California Rapid Transit District, Southern California Commuter Bus Service, and Orange County Transit District. Notice of the filing of this application appeared in the Commission's calendar on February 8, 1980. This protest was withdrawn on April 3, 1980. Applicant served a copy of the amended application on the above-mentioned parties.

Findings of Fact

1. Applicant has the financial resources and ability to provide the proposed service.

2. The revised rates proposed in the amended application are reasonable and should be authorized.

3. The convenience and necessity require that the application be promptly to conserve fuel at this time.

4. The availability of fuel supplies is uncertain.

5. The uncertainty that there is no assurance that the question may have a significant effect on the proposed service.

6. Necessary.

CORRECTION

CORRECTION

THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

Applicant states that he is currently employed as a bus operator for the city of Torrance and proposes to operate the bus. He states that he has three years of experience with a home-to-work passenger stage corporation as a driver and as a supervisor. Servicing and maintenance will be performed by applicant and by a maintenance supervisor currently employed by another bus line. ✓

Applicant served a copy of the application upon the City Clerks of Costa Mesa, Fountain Valley, Westminster, and Newport Beach and upon the Southern California Rapid Transit District, Southern California Commuter Bus Service, and Orange County Transit District. Notice of the filing of this application appeared in the Commission's calendar on February 8, 1980. On March 6, 1980 a protest was filed by Commuter Bus Lines. This protest was withdrawn on April 3, 1980. Applicant served a copy of the amended application on the above-mentioned parties.

Findings of Fact

1. Applicant has the financial resources and ability to operate the proposed service.
2. The revised rates proposed in the amended application are reasonable and should be authorized.
3. Public convenience and necessity require that the application be granted promptly to conserve fuel at this time when the availability of fuel supplies is uncertain.
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.
5. A public hearing is not necessary.

Conclusions of Law

1. Applicant should be restricted from establishing any alternate or additional stops without further order of this Commission, except for temporary relocation of stops due to construction or emergency conditions.

2. The effective date of the order should be the date hereof in order that applicant may begin operations of a needed service as soon as possible.

Richard A. Gregory, dba Sunset Coast Bus Lines, 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 Richard A. Gregory, dba Sunset Coast Bus Lines, authorizing him to transport passengers 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.

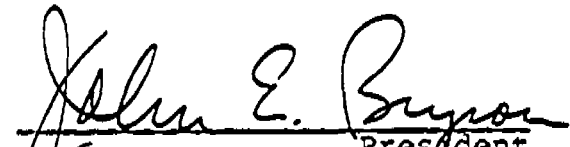
2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following regulations. Failure to do so may result in a cancellation of the authority.

- (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 he accepts the certificate he 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) Applicant shall establish the authorized service and file tariffs and timetables, in triplicate, in the Commission's office on or before one hundred twenty days after the effective date of this order.
- (c) The tariff and timetable filings shall be made effective not earlier than five days after the effective date of this order on not less than five 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 his 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 his operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

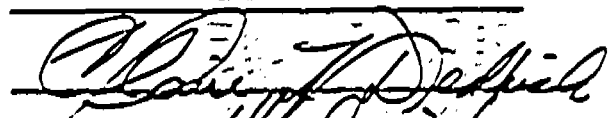
The effective date of this order is the date hereof.


Dated AUG 19 1980 , at San Francisco, California.



President







Commissioners

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

AM

Appendix A

Richard A. Gregory
doing business as
SUNSET COAST BUS LINES

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE AS
A PASSENGER STAGE CORPORATION
PSC-1115

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 made as revised pages
or added original pages.

Issued under authority of Decision No. 92127
dated AUG 19 1980 of the Public Utilities Commission
of the State of California, in Application No. 59438.

Appendix A

Richard A. Gregory
doing business as
SUNSET COAST BUS LINES
(PSC-1115)

Original Page 1

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

Richard A. Gregory, an individual, doing business as Sunset Coast Bus Lines, 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 certain points in Orange County, on the one hand, and the Garrett AiResearch facilities in Torrance, on the other hand, 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 conditions:

- (a) Passengers shall be loaded and unloaded only at points specified in the route descriptions.
- (b) Only passengers destined to or originating at the Garrett AiResearch facilities in Torrance shall be transported.
- (c) Service will be operated at times necessary to meet employees' shift needs on regular working days.
- (d) The route traversed during the pickup at the beginning of the work shift will be traveled in reverse at the end of the work shift.

SECTION 2. ROUTE DESCRIPTIONS.

Service shall be provided between the points named in the route shown below, on the one hand, and the Garrett AiResearch facilities, on the other hand, over the most convenient and direct routes.

<u>Point:</u>	<u>City:</u>
Jamboree Boulevard and Ford Road	Newport Beach
Jamboree Boulevard and Bristol Street	Newport Beach
Bristol Street and Paularino Avenue	Costa Mesa
Harbor Boulevard and Sunflower Avenue	Costa Mesa
Brookhurst Street and Warner Avenue	Fountain Valley
Beach Boulevard and Sugar Avenue	Westminster
Westminster Avenue and Springdale Street	Westminster

(END OF APPENDIX A)