

A. 59877 - T/FS

Decision No. 92221 SEP 3 - 1980**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of Pettersen Bus Company, for)	
authority to operate as a passenger))	Application No. 59877
stage corporation along Highway)	(Filed August 14, 1980)
29 between Napa and Calistoga.)	

O P I N I O N

By this application, Pettersen Bus Company seeks authority to establish a passenger stage service between Napa and Calistoga, with service to Napa, Yountville, Oakville, Rutherford, St. Helena and Calistoga. The route would follow State Highway 29, with passenger service at points within one mile on either side of Highway 29 and within the Cities of Napa, Yountville, St. Helena and Calistoga.

Applicant proposes to conduct the proposed service with a 10- or 12-passenger vehicle, equipped to be able to accommodate passengers in wheelchairs. The service would operate up to three trips northbound from Napa to Calistoga and three trips southbound per day on a demand-response basis, with point-to-point service for the convenience of the passengers.

The proposed fares are \$2.30 for a one-way trip between Napa and Calistoga and \$4.35 for a round-trip ticket, with lower fares for service to or from intermediary points.

Applicant has served notice of the application on Greyhound Lines, Inc., the County of Napa, and the Cities of Napa, Calistoga, St. Helena and Yountville. Notice of this application was listed on the Commission's Daily Calendar on August 18, 1980. Greyhound Lines, Inc., operate a passenger stage service in this territory. However, the applicant's proposed service is different and distinct from Greyhound's in that the applicant would operate with equipment designed to lift and carry passengers in wheelchairs and also because the applicant would provide transportation directly to and from its passengers' true points of origin and destination instead

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of requiring the passengers to travel by their own means to and from State Highway 29. Greyhound's motor coaches are not wheelchair lift equipped and Greyhound's route is limited to pickup and discharge of passengers on Highway 29 only, with no service to other points on local streets in this area. In short, the applicant's proposal would extend the availability of passenger stage service to a different clientele than Greyhound presently serves in this territory. Greyhound informs the Commission staff that it does not protest the granting of this application. The application is supported by the staff of the Metropolitan Transportation Commission and by the County of Napa, it being believed that this new service will fill an unmet transit need in the Napa Valley area. There are no protests to the granting of this application.

The applicant's balance sheet as of August 1, 1980, shows total assets of \$302,757.01. Applicant will also receive funding from the County of Napa for one year in connection with the passenger stage services proposed herein. Finally, the applicant corporation and its predecessor proprietor have had experience in operating passenger stage services in the Napa County area for many years, pursuant to a Certificate of Public Convenience and Necessity (PSC-3) authorizing a passenger stage service along several routes from Napa and Solano Counties to the Mare Island Naval Shipyards at Vallejo.

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, since there are no protests and since there appears to be an existing need for this new passenger stage service. Applicant indicates it is ready to commence service promptly upon being authorized to begin operation.

Findings of Fact

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

1. Pettersen Bus Company seeks authority to operate as a passenger stage corporation between Napa, Yountville, Oakville, Rutherford, St. Helena and Calistoga, to carry handicapped passengers and their attendants.
2. Applicant has the equipment available, expertise and financial resources to institute and maintain the proposed service.
3. The proposed fares appear to be justified.
4. The Commission staff supports the application.
5. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
6. A public hearing is not necessary.
7. Applicant has demonstrated that public convenience and necessity require granting of the application.

Conclusions of Law

It is concluded that the sought authority should be granted. Since the public will benefit from immediate institution of the service, the following order should be effective the date hereof. 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 Pettersen Bus Company 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. Appendix A of Decision 90135, is amended by incorporating First Revised Pages 2, 3, 4 and 5, attached hereto, in revision of Original Pages 2, 3, 4 and 5, respectively.

3. 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 SEP 3 1980, at San Francisco, California.

Joh E. Bryson
President
Thomas L. Stevenson
Richard D. Kragle
Clair J. Schick
Arnold W. Gamm
Commissioner

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

The certificate hereinafter noted supersedes all operative authority heretofore granted to Pettersen Bus Company.

*Pettersen Bus Company, a corporation, by the certificate of public convenience and necessity to operate as a passenger stage corporation granted by the decision noted in the margin, is authorized to transport passengers, baggage, mail and express over and along the routes hereinafter described, 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) Only passengers destined to or originating at the Mare Island Naval Shipyard shall be transported on Routes 1, 2, 3, 4, 5 and 6.
- (d) Routes 1, 2, 3, 4, 5 and 6 may be combined for operational purposes.
- (e) Only passengers who are physically handicapped and their necessary attendants shall be transported on Route 7.
- (f) Authority to operate Route 7 shall expire one year following the effective date of the decision noted in the margin, unless further extended or modified by order of the Commission.
- (g) The term "demand responsive" 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 "demand responsive" service will be rendered.

Issued by California Public Utilities Commission.

*Changed by Decision No. 92221 ; Application No. 59877.

SECTION 2. ROUTE DESCRIPTIONS.

* Route 1. - Napa-Mare Island

Commencing in the City of Napa or any point within three miles of the Napa City Limits; thence via State Highway 29, State Highway 37 to the entrance of the Mare Island Naval Shipyard.

* Route 2. - St. Helena-Mare Island

Commencing in the City of St. Helena or any point within three miles of the St. Helena City Limits; thence via State Highway 29, State Highway 37 to the entrance of the Mare Island Naval Shipyard.

* Route 3. - Fairfield-Mare Island

Commencing in the City of Fairfield or any point within three miles of Fairfield City Limits; thence via Interstate Highway 80, State Highway 37 to the entrance of the Mare Island Naval Shipyard.

* Route 4. - Vacaville-Mare Island

Commencing in the City of Vacaville or any point within three miles of said city's corporate limits; thence via Interstate Highway 80, State Highway 37 to the entrance of the Mare Island Naval Shipyard.

* Route 5. - Benicia-Mare Island

Commencing in the City of Benicia or any point within three miles of Benicia City Limits; thence via Interstate Highway 680 to the city limits of Vallejo; continue via Vallejo city streets to State Highway 37 to the entrance of the Mare Island Naval Shipyard.

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* Title of route (only) changed by Decision No. 92221, Application No. 59877.

SECTION 2. ROUTE DESCRIPTIONS (Continued)

Route 6. - Vallejo-Mare Island

Commencing at the intersection of State Highway 29 (also known as Napa Road) and Rio Del Mar Road in the County of Napa; thence southwest to Rio Del Mar Road; West Carolyn Drive, Landana Street, Donaldson Way, Los Altos (Napa County), North Carolyn Drive, Rio Del Mar Road, Cassayre Drive, Melvin Road, Wilson Way, Andrew Way, Crawford Way, State Highway 29, Kimberly Drive, Elliott Drive, Dillion Drive, Diana Drive, Mini Drive, State Highway 29, Valle Vista Avenue, Sacramento Street, Gardner Street, Selfridge Street, North Rodgers Street, Daniels Avenue, Wilson Avenue, Mare Island Causeway to the entrance of Mare Island Naval Shipyard.

*Route 7. - Napa-Calistoga

Commencing in Napa at the intersection of Soscol Avenue and Highway 29 and proceeding westerly and northerly along Highway 29 through Napa; thence northerly along Highway 29 along Yountville and St. Helena to the intersection of Highway 29, Washington Street and Kortom Canyon Road in Calistoga; thence leaving Highway 29 and proceeding northerly along Highway 128 to its intersection with Tubbs Lane about one-quarter mile north of the Calistoga City limits, with passenger to be transported on this route on a demand-responsive basis only, with service to and from any points lying either within one mile on either side of the above described route or within the city limits of Napa, Yountville, St. Helena or Calistoga.

(End of Appendix A)

Issued by California Public Utilities Commission.

*Added by Decision No. 92221, Application No. 59879.