

ORIGINAL

Decision No. 92327 OCT 22 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Sierra Highlands Bus Company,)
Inc. for certificate of public)
convenience and necessity to)
operate Passenger, Baggage,)
Package Express, Newspapers and)
U. S. Mail Service between)
Fresno, Hanford, Paso Robles,)
Sanger, Reedley, Coalinga, Huron,)
Lemoore, Lemoore Naval Air)
Station and Kettleman City,)
California and between Bass)
Lake, California and Merced,)
California via Oakhurst and)
Mariposa, California.)

Application No. 59496
(Filed March 5, 1980)

INTERIM OPINION

Applicant Sierra Highlands Bus Company, Inc., a corporation, requests a passenger stage certificate to operate, among other points, between Merced, Planada, Mariposa, Oakhurst, and Bass Lake (the Merced-Bass Lake route). Protests to other parts of the application have been received, but no protests have been received to the granting of authority to serve over the Merced-Bass Lake route. Copies of the application were served on the city and county of Merced, the county of Mariposa, the county of Madera, Greyhound Lines, Inc., Orange Belt Lines, and Trailways, Inc. Notice of the application was published in the Commission's Daily Calendar of March 6, 1980. This decision will deal only with the Merced-Bass Lake route. The other parts of the application have been set down for hearing and a further decision will be rendered covering those other parts of the application.

Applicant proposes two schedules a day each way between Bass Lake and Merced and return with a single bus. The first schedule will leave Bass Lake at 6:00 a.m. and arrive in Merced at 7:45 a.m. and in return will leave Merced at 9:00 a.m. and arrive at Bass Lake at 10:50 a.m. The next schedule will leave Bass Lake at 11:30 a.m. and arrive in Merced at 1:15 p.m. and return leaving Merced at 4:00 p.m. and arrive in Bass Lake at 5:50 p.m. Applicant presently operates nine buses and for the four months ending November 30, 1979 had a gross revenue from its bus and shop operations of \$277,991. As of that date it represents that it has a net worth of \$89,441.

Applicant states in supplemental filings to the application that the Merced-Bass Lake route is to give service to communities of the foothill region on a local basis, giving connections at Oakhurst for service into Fresno via its present schedule with connections at Fresno and Merced with Greyhound Lines, Inc., Trailways, Inc., and Amtrak. Applicant states that there is presently no local or intercity service via the route it intends to operate.

Findings of Fact

1. There is presently no passenger stage over the proposed Merced-Bass Lake route.
2. Applicant is fit, willing, and financially able to conduct the proposed Merced-Bass Lake service.

3. The proposed service is required by public convenience and necessity.

4. A hearing on the proposed Merced-Bass Lake route is not necessary.

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.

Conclusions of Law

1. Public convenience and necessity require the granting of the requested certificate to serve over the Merced-Bass Lake route.

2. In view of the fact there is presently no service over the proposed Merced-Bass Lake route, the effective date of this decision should be the date of signature.

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.

INTERIM ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Sierra Highlands Bus Company, Inc., authorizing it to operate as a passenger stage corporation, to transport passengers, their baggage, and express as defined in Section 226 of the Public Utilities Code, between the points and over the routes as set forth in Revised Pages 1 and 2 of Appendix A, Decision No. 90453 attached.

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.

3. Hearings will be held on the contested portions of Application No. 59496.

The effective date of this order is the date hereof.

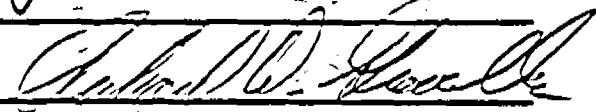
Dated OCT 22 1980, at San Francisco, California.

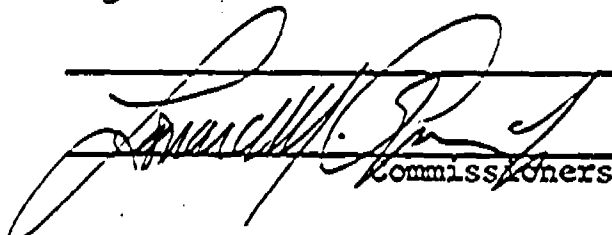
Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.



President





Commissioners

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

Sierra Highlands Bus Company, Inc., by the Certificate of Public Convenience and Necessity, granted by the decision noted in the margin, is authorized to transport passengers their baggage and express between the Trailways' Terminal within the City of Fresno, and Fish Camp, and between the *City of Merced and Bass Lake along the routes hereinafter described, subject, however, to the authority of this Commission to change or modify said route at any time and subject to the following provisions:

- (a) On Route 1 in the northbound direction on State Route 41 direction, no passengers shall be discharged between the Trailways' Terminal and Avenue 10½.
- (b) On Route 1 in the southbound direction on State Route 41 direction, no passengers shall be picked up between Avenue 10½ and the Trailways' Terminal.
- (c) Motor vehicles may be turned at terminal and intermediate points, in either direction, at intersections of streets or by operating a block contiguous to such intersections, in accordance with local traffic regulations.
- (d) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.

Issued by California Public Utilities Commission.

*Amended by Decision No. 92327, Application No. 59496.

SECTION 2. ROUTE DESCRIPTION.

Route 1.

Commencing at the Trailways' Station, 1333 Broadway, in the City of Fresno, south on Broadway to H Street, south on H Street to the Greyhound Station, 1033 E Street, east on Mariposa Street to Broadway, north on Broadway to Fresno Street, east on Fresno Street to P Street, north on P Street to Abby Street, north on Abby Street to Blackstone Street (SR-41), north on SR 41 to Fish Camp; return commencing at Fish Camp south on SR 41 to O Street, south on O Street to Fresno Street, west on Fresno Street to Broadway, south on Broadway to the Trailways' Station.

*Route 2.

Commencing at the Trailways' Station 1632 N. Street in the City of Merced, north on N. Street to 17th Street, east on 17th Street to M Street, north on M Street to 27th Street, east on 27th Street to K Street, south on K Street to 24th Street, east on 24th Street to the Amtrak Station at 24th and K Streets; to G Street, south on G Street to 16th Street, east on 16th Street to State Route 140, east on State Route 140 to Mariposa, south on State Route 4 to Oakhurst, north on State Route 41 to Bass Lake Road, east on Bass Lake Road to Pines Resort, Bass Lake. Return by reverse of route until 27th Street and M Street in Merced, thence south on M Street to 16th Street west on 16th Street to N Street north on N Street to the Trailways' Station 163 N. Street.

Issued by California Public Utilities Commission.

*Added by Decision No. 92327, Application No. 59496.