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S2522

Decision No. \_\_\_\_\_ DEC 16 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
SAN LUIS TRANSPORTATION, INC., doing )  
business as SOUTH COUNTY EXPRESS, )  
for a certificate of public con- )  
venience and necessity to operate a )  
passenger stage service between )  
San Luis Obispo, California and )  
Arroyo Grande, Grover City and )  
Pismo Beach, California. )

ORIGINAL

Application No. 59913  
(Filed September 3, 1980)  
(amended October 14, 1980)

*to*  
Name: San Luis Transportation, )  
Incorporated for authority to )  
operate as a passenger stage cor- )  
poration to provide home to work )  
service between Arroyo Grande, )  
California and San Luis Obispo, )  
California in \_\_\_\_\_ )  
(Subject to 14-day protest period )  
from initial filing date.) )

Application No. 59956  
(Filed September 22, 1980)

*to*  
Name: San Luis Transportation, )  
Incorporated for authority to )  
operate as a passenger stage cor- )  
poration to provide home to work )  
service between Morro Bay, Cuesta )  
College and San Luis Obispo, )  
California in \_\_\_\_\_ )  
(Subject to 14-day protest period )  
from initial filing date.) )

Application No. 59958  
(Filed September 23, 1980)

In the Matter of the Application of )  
SAN LUIS TRANSPORTATION, INC., doing )  
business as NORTH COASTAL TRANSIT, )  
for a certificate of public con- )  
venience and necessity to operate )  
a passenger stage service between )  
San Luis Obispo, California and )  
Morro Bay and Los Osos, California. )

Application No. 60050  
(Filed October 31, 1980)

OPINION

The applicant corporation presently holds no Commission operating authority to operate passenger stage services. However, it operates a local taxicab business in San Luis Obispo and, additionally, applicant's president has previously conducted a passenger stage service in Monterey county pursuant to Commission certificate PSC-988.

By these applications, applicant requests authority to operate passenger stage services between San Luis Obispo and Arroyo Grande, Grover City, and Pismo Beach (Applications Nos. 59913 and 59956), and between San Luis Obispo and Morro Bay (Applications Nos. 59958 and 60050). Applicant advises the Commission staff that Applications Nos. 59956 and 59958 were filed solely for the purpose of obtaining speedy authorization of the commute-hour schedules pursuant to the Commission's expedited application procedure for new "home-to-work" passenger stage services, and that the authority sought by Applications Nos. 59956 and 59958 is included within the scope of the authority sought by the other two <sup>applications</sup> ~~operations~~.

Application No. 59913 seeks authority to operate a passenger stage service between San Luis Obispo and Arroyo Grande. As originally filed, the route would have included six points at which passengers would be picked up and dropped off. San Luis Obispo, Pismo Beach and Arroyo Grande would have received service but the bus would not have stopped in Grover City notwithstanding that the route went through that community. A protest was filed by Greyhound Lines, Inc.,

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which cited its existing passenger stage service between Arroyo Grande, Pismo Beach, and San Luis Obispo. By amendment filed October 14, 1980, applicant added three additional service points in Grover City, thereby serving a community not served by the protestant and making the operation somewhat more clearly a local transit line rather than an express intercity service.

By letter dated October 20, 1980, Greyhound withdrew its protest to Application No. 59913. Notice of this application was listed in the Commission's Daily Calendar and applicant served copies thereof on Greyhound, the County of San Luis Obispo, and the cities of San Luis Obispo, Arroyo Grande, Grover City, and Pismo Beach. There are no passenger stage corporations other than Greyhound authorized to operate any similar services in this territory. Greyhound's protest has been withdrawn, and no other protests have been received. The applicant advises that the granting of Application No. 59913 will also fully satisfy its interest in having filed Application No. 59956.

Application No. 60050 seeks authority to operate a passenger stage service between San Luis Obispo and Morro Bay. The routes include local transit service between Morro Bay and the unincorporated communities of Los Osos and Baywood Park; service between Morro Bay and Cuesta College, located at Camp San Luis; and service of a more express nature between San Luis Obispo and Cuesta College, and between San Luis Obispo and Morro Bay. Notice of this application was listed in the Commission's Daily Calendar and applicant served copies thereof on the County of San Luis Obispo, the cities of San Luis Obispo and Morro Bay, and on San Simeon Stages and

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Surtreks, Inc. No protests have been received. Applicant advises that the granting of Application 60050 will also fully satisfy its interest in having filed Application No. 59958.

Applicant's balance sheet as of September 15, 1980, reveals assets of \$318,000, including \$15,000 cash on hand, and liabilities of only \$143,000, for a net financial position of \$175,000. Additionally, applicant receives subsidy funds from the North Coastal Transit Agency on the Morro Bay service. Applicant owns a fleet of 15 buses with seating capacities ranging from 21 to 45 passengers. Finally, the applicant's transportation experience, as well as that of its president, have been discussed above.

The Commission's Transportation Division recommends that the requested authority be granted as provided in the ensuing order.

Findings of Fact

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

1. Applicant seeks authority to operate as a passenger stage corporation providing service between San Luis Obispo and Arroyo Grande, Grover City and Pismo Beach, and also between San Luis Obispo, Baywood Park, Los Osos, Cuesta College and Morro Bay.

2. There is no other passenger stage corporation presently offering this type of service in this territory, excepting Greyhound Lines Inc.'s service between San Luis Obispo, Pismo Beach, and Arroyo Grande. Greyhound has withdrawn its protest.

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3. Applicant has expertise and financial resources to institute and maintain the proposed services.
4. The proposed fares are justified.
5. The Commission staff supports the applications.
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.
7. A public hearing is not necessary.
8. The public convenience and necessity require granting of the requested authority.

Conclusions of Law:

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It is concluded that Application Nos. 59913 and 60050 should be granted, and that Application Nos. 59956 and 59958 should be dismissed as moot. Since the public will benefit from immediate institution of those services and the applicant is ready, willing and able to start service promptly, the following order should be effective 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 cancelled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

Q R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to San Luis Transportation, Inc., a corporation, authorizing it to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between certain points as named in the attached Appendix A, for the transportation of passengers, baggage, and express, as requested in Application<sup>S</sup>Nos. 59913 and 60050.

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 98-Series, and the insurance requirements of the Commission's General Order 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 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.

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- (d) The tariff and timetable filings made pursuant to this order shall comply with the regulations governing the construction and filings of tariffs and timetables set forth in the Commission's General Orders 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 operation in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

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3. Application (Nos. 59956 and 59958 are dismissed as moot.

The effective date of this order is the date hereof.

Dated DEC 16 1980, at San Francisco, California.

John E. Bryan  
President

Michael D. Givelle

Alaine L. Dedrick

Commissioners

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

Commissioner Leonard M. Grimes, Jr. being necessarily absent, did not participate.

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
TO OPERATE AS A  
PASSENGER STAGE CORPORATION  
PSC - 1142

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Showing passenger stage operative rights, restrictions, limitations,  
exceptions and privileges applicable thereto.

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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.

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Issued under authority of Decision No. 92522, dated DEC 16 1980  
of the Public Utilities Commission of the State of California  
in Applications Nos. 59913 and 60050.



INDEX OF ROUTES

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

San Luis Transportation, 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, baggage and express between San Luis Obispo and Arroyo Grande, and between San Luis Obispo and Morro Bay, with intermediate stops 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 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) Carrier may operate Route 1 using the name of San Luis Transportation, Inc., doing business as South County Express, and may operate Routes 2, 3, 4, and 5 using the name of San Luis Transportation, Inc., doing business as North Coastal Transit.
- (d) On Route 1, service is limited to the transportation of passengers, baggage, and express having as either point of origin or point of destination, an authorized "pick-up point" in the City of San Luis Obispo. Service on Route 1 is further limited to the "pick-up points" set forth in the route description.
- (e) On Route 4, service is limited to the transportation of passengers, baggage, or express having as either point of origin or destination, the intersection of Palm and Osos Streets in San Luis Obispo.

Issued by California Public Utilities Commission.  
Decision No. ~~92522~~, Applications Nos. 59913 and 60050.

## SECTION 2. ROUTE DESCRIPTIONS

Route 1. San Luis Obispo - Arroyo Grande

Commencing at the intersection of Orchard Street and Pilgrim Way (pick-up point) in Arroyo Grande, thence north on Traffic Way, and west on Grand Avenue to its intersection with Oak Park Blvd. (pick-up point) in Arroyo Grande and Grover City, thence west on Grand Avenue to its intersection with Thirteenth Street (pick-up point) in Grover City, thence west on Grand Avenue to its intersection with Ninth Street (pick-up point) in Grover City, thence west on Grand Avenue and north on Fourth Street to a stop at a safe and convenient location on Fourth Street between Grand and Saratoga Avenues (pick-up point), thence north on Fourth Street and west on Five Cities Drive to the Five Cities Shopping Center (pick-up point) in Pismo Beach, thence west via Five Cities Drive, U.S. Highway 101, and Price Street to its intersection with Hinds Avenue (pick-up point) in Pismo Beach; thence northerly on Hinds Avenue and Price Canyon Road to State Highway 227; thence northwesterly on State Highway 227 and appropriate local streets and roads to the route's San Luis Obispo pick-up points, namely the intersection of Osos and Higuera Streets and the intersection of Osos and Palm Streets.

Route 2. Morro Bay - Los Osos

Commencing at the intersection of Harbor Street and Morro Bay Blvd. in the City of Morro Bay, thence east on Morro Bay Boulevard and Quintana Road, south on South Bay Boulevard, west on Santa Ysabel, south on Second Street, east on Morro Avenue, south on Seventh Street, west on Ramona Avenue, south on Pine Avenue, east on Los Osos Valley Road, north on Tenth Street, east on Santa Ynez Avenue and north on Eleventh Street to the intersection of Santa Ysabel Avenue and South Bay Boulevard. The route then continues north on South Bay Boulevard and west along State Highway No. 1, Morro Bay Blvd., and Quintana Street to Kennedy Way, thence south on Kennedy Way, east on Dunes Street, south on Shasta Avenue, and east on Harbor Street to its intersection with Morro Bay Blvd.

Route 3. Morro Bay - San Luis Obispo (local)

Commencing at the intersection of Harbor Street and Morro Bay Blvd. in the City of Morro Bay, thence east on Harbor Street, Morro Bay Blvd., and State Highway 1 to Cuesta College at Camp San Luis Obispo. Thence east via State Highway 1 to the California Men's Colony (flag stop), thence east via State Highway 1 and Foothill Blvd. to California Blvd. and the California State Polytechnic University at San Luis Obispo. Then southeast on California Blvd., southwest on Mill Street, and southeast on Osos Street its intersection with Palm Street in San Luis Obispo.

## SECTION 2. ROUTE DESCRIPTIONS (Continued)

Route 3. Morro Bay - San Luis Obispo (local) (Continued)

Returning to Morro Bay, the route commences at the intersection of Palm and Osos Streets in San Luis Obispo, and then goes northeast on Palm Street, northwest on Santa Rosa Street, northeast on Mill Street, northwest on California Blvd. to the California State Polytechnic University; thence southeast on California Blvd. and west on Foothill Blvd. to State Highway 1; thence westerly via State Highway 1 to the California Men's Colony (flag stop), thence westerly on State Highway 1 to Cuesta College (flag stop), thence westerly on State Highway 1 to Morro Bay Blvd., and thence via Morro Bay Blvd. Quintana Road, Kennedy Way, Dunes Street, and Shasta Avenue, and Harbor Street to its intersection with Morro Bay Blvd.

Route 4. Morro Bay - San Luis Obispo (express)

Commencing at the intersection of Morro Bay Blvd. and Harbor Street in the City of Morro Bay, thence east on Morro Bay Blvd. and State Highway 1 to Cuesta College at Camp San Luis Obispo. Thence east on State Highway 1 to San Luis Obispo, following appropriate local streets and roads to the route's San Luis Obispo pick-up point at the intersection of Palm and Osos Streets. Return trip may delete the stop at Cuesta College provided adequate service is operated to and from Cuesta College or carrier's other routes.

Route 5. San Luis Obispo - Cuesta College

Commencing at the intersection of Osos and Palm Streets in San Luis Obispo, thence northeast on Palm Street and northwest on Santa Rosa Street and State Highway 1 to the California Men's Colony (flag stop), then continuing west on State Highway 1 to Cuesta College at Camp San Luis Obispo. Return via State Highway 1 and Santa Rosa Street to Mill Street, thence southwest on Mill Street and southeast on Osos Street to its intersection with Palm Street in San Luis Obispo.

(END OF APPENDIX A)