

ORIGINAL

Decision No. 93015 MAY 5 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of GREYHOUND LINES, INC. for authority to operate bus service between the Junction of Interstate Highway 5 and Camarillo and between Thousand Oaks and Moorpark, California, serving all intermediate points.

Application No. 60222 (Filed January 28, 1981)

Application of GREYHOUND LINES, INC. for authority to operate bus service between Buellton and the Junction of California Highway 154 and U.S. Highway 101, serving all intermediate points.

Application No. 60224 (Filed January 28, 1981; amended February 26, 1981)

O P I N I O N

Greyhound Lines, Inc. (applicant) is a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, and as such is engaged in the transportation of passengers, baggage, and express generally throughout the State of California.

In Application No. 60222, applicant seeks to extend its passenger stage corporation authority to provide service in the Simi Valley area of southern California.

In Application No. 60224, applicant seeks to extend its service to points on State Highway 154 between Goleta and Buellton, including Solvang and Santa Ynez.

Copies of the applications were served in accordance with Commission rules. Notice of the filing also appeared on the Commission's Daily Calendar. The City Council of Simi supports Application No. 60222, inasmuch as it has requested

applicant to perform that service for some time. The Public Works Agency of the County of Ventura advised that the service between Moorpark and Thousand Oaks over State Highway 23 duplicates a subsidized service provided by Cal Coast Charter under contract with the county. However, the fares proposed by applicant are substantially higher than that for the contracted service, and the type of service offered by applicant is an inter-city service rather than a local service such as provided by Cal Coast Charter.

High Oaks Ranch Stores, Inc. (High Oaks) of Buellton protested the opening of a new ticket office at Solvang. High Oaks is applicant's agent at Buellton. It believes the opening of a new agency ticket office will take business away from it. High Oaks' protest is not germane to the issues of public convenience and necessity, and loss of business by a ticket agent is not a subject regulated by this Commission.

There is no regularly scheduled service between the points in issue by any passenger stage corporation holding a certificate from this Commission or by any public transit district.

The applications contain data showing that applicant has the requisite financial ability, equipment, and personnel to perform the proposed services. Applicant will assess fares on the same levels as its present fares for intrastate service.

Findings of Fact

1. Applicant has the requisite financial ability, equipment, and personnel necessary to perform the proposed services.
2. There are no certificated passenger stage corporations or public transit districts performing service over the routes proposed to be operated by applicant.

3. There is no substantive protest to the proposed services.

4. Public convenience and necessity require that the authorities requested by applicant be granted.

5. It can be seen with certainty that there is no possibility that the activities in question may have a significant effect on the environment.

6. A public hearing is not necessary.

7. As there is no substantive protest to the applications and as the public would benefit from the immediate institution of the proposed services, the effective date of this order should be the date of signature.

Conclusion of Law

Public convenience and necessity have been demonstrated and the applications should be granted.

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. The certificate of public convenience and necessity issued to Greyhound Lines, Inc. to operate as a passenger stage corporation as defined in Section 226 of the Public Utilities Code, as set forth in Appendix A to Decision No. 55893 (as amended) is revised by incorporating therein Seventh Revised Page 44 and Sixth Revised Page 47 attached hereto in revision of Sixth Revised Page 44 and Fifth Revised Page 47.

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. 89-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 is the date hereof.

Dated MAY 5 1981 , at San Francisco, California.

John E. Guyon
President
Robert W. Powell
Thomas C. Jones
Arthur J. Baker
Richard C. Green
Commissioners

Appendix A
(D.55893, A.39394)
(D.71353, A.48931)

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ROUTE GROUP 15

15.01 - Between San Luis Obispo and Los Angeles:

From San Luis Obispo, over U.S. Highway 101 to Los Angeles.

Authority is granted to serve all intermediate points and also the points of Santa Maria and Goleta over available access highways to U.S. Highway 101.

15.02 - Between Santa Maria and Las Cruces:

From Santa Maria, over California Highway 135 to junction California Highway 1, thence over California Highway 1 to junction unnumbered highway (Vandenberg Junction), thence over unnumbered highway to junction San Antonio Creek Road (San Antonio Creek Junction), thence over San Antonio Creek Road to and entering Vandenberg Air Force Base, thence over highways of Vandenberg Air Force Base and Lompoc-Casmalia Road to Buellton Junction, thence over California Highway 1 to Las Cruces.

Authority is granted to serve all intermediate points and the point of Orcutt over available access highways to California Highway 135 and California Highway 1.

15.03 - Between Santa Maria and Vandenberg Air Force Base:

From Santa Maria, over California Highway 166 to junction unnumbered highway, thence over unnumbered highway to and entering Vandenberg Air Force Base near Casmalia en route to points within such Base, to be operated as an alternate route.

*15.04 - Between Buellton and junction of California Highway 154 and Interstate Highway 101.

From Buellton over California Highway 246 to junction California Highway 154, thence over California Highway 154 to junction U.S. Highway 101 south of Goleta and return over the same route serving all intermediate points.

Issued by California Public Utilities Commission.

*Revised by Decision No. 93015. Application No. 60224.

Appendix A
(D.55893, A.39394)
(D.85313, A.55866)

GREYHOUND LINES, INC.

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15.16 - Between Junction California Highway 1 and Hueneme Road and Port Hueneme:

From junction California Highway 1 and Hueneme Road, over Hueneme Road to Brand Street to Market Street to Main Street to Port Hueneme, to be operated on-call for 25 or more adult fares.

15.17 - Between West Thousand Oaks and East Thousand Oaks:

From junction U.S. Highway 101 and unnumbered highway (West Thousand Oaks), over unnumbered highway to junction U.S. Highway 101 (East Thousand Oaks).

*15.18 - Between Camarillo and Junction Interstate Highway 5, serving all intermediate points:

From Camarillo over California Highway 34 to junction California Highway 118, thence over California Highway 118 to junction Interstate Highway 5, and return over same route.

*15.18A- Between Thousand Oaks and Moorpark, serving all intermediate points:

From Thousand Oaks over California Highway 23 to Moorpark and return over same route.

15.19 - Between North Ventura Junction and South Ventura Junction:

From North Ventura Junction, over unnumbered highway via Ventura to South Ventura Junction.

15.20 - Between Buellton Interchange and Solvang:

From the junction of U.S. Highway 101 and California Highway 246 (Buellton Interchange) over California Highway 246 to Solvang.

Service is authorized to be conducted in Special Operations only.

Issued by California Public Utilities Commission.

*Revised by Decision No. 93015, in Application No. 60222.