

T/TEE/RZE

Decision 93077 MAY 19 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Raymond W. Morgan )  
for authority to operate as a )  
passenger stage corporation to )  
provide home to work service )  
between the City of Vallejo and )  
Mare Island Shipyard Industrial )  
Area in Vallejo, California. )  

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Application 60029  
(Filed October 27, 1980)

O P I N I O N

By Decision 91046 dated November 20, 1979 in Application 58819, Raymond W. Morgan was granted a certificate of public convenience and necessity (PSC-1091) to establish a passenger stage corporation for the operation of home-to-work bus service between Napa and Mare Island Naval Shipyard located at Vallejo.

By this application, Raymond W. Morgan seeks to extend his authority to operate an additional route between Vallejo and Mare Island Naval Shipyard. The service would be provided only on the swing shift. No other carrier is operating the service proposed by applicant.

Applicant proposes to charge round trip fares of \$1.50 per day, \$6.00 per week and \$20.00 per four weeks payable in advance.

Applicant intends to use 50-passenger, air conditioned, over-the-road buses to provide the service.

Applicant indicates a net worth of \$90,451.

The application was listed on the Commission's Daily Calendar of October 31, 1980. The Commission's Transportation Division staff has reviewed the application and recommends that in the absence of protest or request for public hearing it be granted ex parte. No protest has been received.

Findings of Fact

1. Public convenience and necessity require the proposed service.
2. The applicant has the ability, equipment and financial resources to perform the proposed service.
3. The proposed fares are reasonable.
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.

Conclusion of Law

Public convenience and necessity <sup>have</sup> ~~has~~ been demonstrated and ✓  
the application should be granted. A public hearing is not  
necessary. SS

Raymond W. Morgan is placed on notice that operative rights, ✓  
as such, do not constitute a class of property which may be SS  
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 Raymond W. Morgan authorizing him to extend his operations as a  
passenger stage corporation, as defined in Section 226 of the Public  
Utilities Code, between the points and over the routes set forth by  
incorporating First Revised Pages 3 and 4 ~~canceling~~ Original Pages 3 ✓  
and 4, respectively, and Original Page 5 of Appendix A of Decision 91046 ✓  
in Application 58819 attached hereto. SS

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 the 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 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 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 79-Series and 93-Series.

- (3) 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 thirty days from the date hereof.

Dated     MAY 19 1981    , at San Francisco, California.

    John E. Bryson     President  
    Richard D. Kuyala      
    Bernard W. Jones      
    Victor C. ...      
    Russell C. ...     Commissioners

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Appendix A  
(D.91046 A.58819)

RAYMOND W. MORGAN  
(PSC-1091)

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

Raymond W. Morgan, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers between Napa and\* Vallejo, on the one hand, and Mare Island Naval Shipyard, on the other hand, over and along the route 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) All service herein authorized shall be limited to the transportation of round-trip passengers only.

Issued by California Public Utilities Commission.

\*Amended by Decision 93077, Application 60029.

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Appendix A  
(D.91046 A.58819)  
(Nov. 20, 1979)

RAYMOND W. MORGAN  
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- \* (d) No passengers shall be transported except those having point of origin or destination at said Mare Island Naval Shipyard.
- \* (e) Operations for the route shall be conducted so that arrival time of passengers at the Mare Island Naval Shipyard is between 3:00 p.m. and 4:00 p.m. Revision to this requirement may only take place if authorized by the Commission. Timetables filed with the Commission shall state this requirement.

Issued by California Public Utilities Commission.

\*Amended by Decision 93077, dated MAY 19 1981  
Application 60029.

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Appendix A  
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SECTION 2. ROUTE DESCRIPTION.

Route 1: Beginning in the City of Napa at the intersection of Imola Avenue and Freeway Drive, thence along Imola Avenue to State Highway 29, thence along State Highway 29 to Trancas Street, thence along Trancas Street to State Highway 121 (Silverado Trail), thence along Silverado Trail to State Highway 29, thence along State Highway 29 to the intersection of State Highway 37 in the City of Vallejo, thence along State Highway 37 to North Entrance Drive, thence along North Entrance Drive to Mare Island Naval Shipyard.

Route 2: Beginning in the City of Vallejo at the intersection of Robles Street and Glen Cove Road, north on Glen Cove Road to Rollingwood Drive, north on Rollingwood Drive to Georgia Street, east on Georgia Street to Columbus Parkway, north on Columbus Parkway to Springs Road, west on Springs Road to Rollingwood Drive, north on Rollingwood Drive to Tennessee Street, west on Tennessee Street to Mare Island Causeway, west to Mare Island Causeway to Mare Island Shipyard. Return over the reverse of the route.

Issued by California Public Utilities Commission.

\*Added by Decision 93077, dated MAY 19 1981  
Application 60029.