

JUL 22 1981

ORIGINAL

Decision 93329

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Clifton A. Hodge, John W.)
Ensign, and Ernest Anhalt,)
partners dba Conejo Coach, for)
a Certificate of Public Conven-)
ience and Necessity to operate)
a passenger stage service between)
points in the Thousand Oaks area)
of Ventura County and the down-)
town area of Los Angeles of Los)
Angeles County.)

Application 60404
(Filed March 30, 1981)

O P I N I O N

Clifton A. Hodge, John W. Ensign, and Ernest Anhalt (applicants), partners dba Conejo Coach, seek a certificate of public convenience and necessity under Public Utilities (PU) Code Section 1031, et seq., to operate a passenger stage corporation as defined in PU Code Section 226 to transport passengers between points in the City of Thousand Oaks, Ventura County, and in the downtown area of the City of Los Angeles, Los Angeles County.

Applicants propose to perform a regularly scheduled home-to-work service, five days per week, from Monday through Friday, excluding New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and days following or preceding holidays if applicants and 90% of their passengers agree to cancel service on those days.

Notice of the filing of the subject application appeared in the Commission's Daily Calendar on April 1, 1981. Applicants served copies of the application on the Cities of Los Angeles and Thousand Oaks, the Counties of Los Angeles and Ventura, the Southern California Association of Governments, and on three other carriers: the Southern California Rapid Transit District (RTD), Commuter Bus Lines, Inc., and Gene Stich.

By letter dated April 10, 1981, RTD stated that it is not opposed to the service but requested moving each of the return trip pickup points in Los Angeles by about one block to avoid conflicts with RTD's buses. By letter dated April 17, 1981 Greyhound Lines, Inc. (Greyhound) requested confirmation that applicants proposed to provide a home-to-work service. Greyhound indicated that it would not oppose the application in that event. By letter dated May 12, 1981 (Exhibit 1) applicants confirmed that their request was for home-to-work service and agreed to the passenger-pickup-point modifications suggested by RTD.

Applicants propose to provide service with a 1966-1968 GMC bus Model 4107 with a seating capacity of 38-41 passengers. In the event of a breakdown of their bus, applicants would lease or rent a similar bus from local bus owners either in the Thousand Oaks or Los Angeles area. Applicants state they will provide routine and regular preventive maintenance service on their bus to ensure its proper operation. Applicants will also procure liability insurance in amounts that exceed the minimum prescribed under Commission's General Order 101-C. Exhibit B attached to the application sets forth applicants' proposed fares and rules. Passengers would be given the choice

of making advance payments of \$23 per week or of \$85 per month for the service. Exhibit C to the application contains the financial statements of the three partners. As of March 20, 1981 their cumulative net worths exceeded \$340,000, including \$25,500 in cash. Ensign is employed as Lieutenant of Police with the Los Angeles Police Department. He obtained the driver's license and medical certificate needed to operate a bus and proposes to drive applicants' bus. Both Hodge and Anhalt are in the process of obtaining the necessary licenses required to operate the bus.

Applicants' proposed schedule would:

- (a) Pick up passengers at Janss Road and Moorpark Road at 0615 hours and at Westlake Boulevard and Thousand Oaks Boulevard at 0625 hours in Thousand Oaks,
- (b) Travel eastbound along the Ventura and Hollywood Freeways to the southbound Harbor Freeway,
- (c) Exit at the Sixth Street off-ramp of the Harbor Freeway, and
- (d) Drop off passengers at Sixth Street and Grand Avenue at 0715 hours and at Temple Street and Main Street at 0725 in Los Angeles.

The modified return route would pick up passengers at Temple Street between Main Street and Spring Street at 1630 hours and at Fifth Street and Grand Avenue at 1645 hours. The return route would be along the Harbor, Hollywood, and Ventura Freeways with dropoffs at Westlake Boulevard and Thousand Oaks Boulevard at 1745 hours and at Janss Road and Moorpark Road at 1800 hours.

Applicants allege that public convenience and necessity require the granting of the certificate because:

- (1) The bus service would reduce ever-increasing freeway congestion and conserve ever more costly energy.
- (2) Aside from private vehicles, transportation service between Thousand Oaks and downtown Los Angeles is by (a) two RTD buses per day between Westlake Village and downtown Los Angeles, one of which is a direct route and the other is a local multi-stop route, taking approximately 1-1/2 hours; (b) Greyhound provides scheduled service which is not compatible with the general working hours of the public; (c) another carrier has abandoned a route from Newbury Park to downtown Los Angeles; and (d) Gene Stich operates a route between Thousand Oaks and downtown Los Angeles. Stich and RTD both have a waiting list for their commuter services and they have no immediate plans to expand their services.
- (3) Many of the 80,000 residents of Thousand Oaks must drive to Los Angeles to work.
- (4) Applicants' service would reduce the number of cars on freeways and local streets.
- (5) There is a public need for applicants' service even though other services are available.

Findings of Fact

1. Applicants Clifton A. Hodge, John W. Ensign, and Ernest Anhalt, dba Conejo Coach, request a certificate of public convenience and necessity to operate a passenger stage corporation. The three partners possess the financial resources and ability to operate the proposed service. Applicants will provide a needed Monday-to-Friday (excluding holidays), home-to-work

service from the City of Thousand Oaks in Ventura County to the City of Los Angeles in Los Angeles County.

2. Applicants made minor modifications in their originally proposed evening pickup points to avoid conflicts with RTD's buses.

3. There are no protests to the granting of the application.

4. Applicants have established public convenience and necessity.

5. The rates proposed in the application are reasonable and should be authorized.

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.

Conclusions of Law

1. Applicants have demonstrated public convenience and necessity for establishing the proposed service. Applicants should be restricted from establishing any alternate or additional stops without further order of this Commission, except for temporary relocation of stops due to construction or emergency conditions.

2. The effective date of the order should be the date of signature in order that applicants may begin operations of a needed service as soon as possible.

3. A public hearing is not necessary.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Clifton A. Hodge, John W. Ensign, and Ernest Anhalt authorizing them to operate as a passenger stage corporation, as defined in PU Code Section 226, between the points and over the routes set forth in Appendix A, to transport persons.

2. Applicants shall:

- a. File a written acceptance of this certificate within 30 days after this order is effective.
- b. Establish the authorized service and file tariffs and timetables within 120 days after this order is effective.
- c. State in their tariffs and timetables when service will start; allow at least 10 days' notice to the Commission; and make timetables and tariffs effective 10 or more days after this order is effective.
- d. Comply with General Order Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.

- e. Maintain accounting records in conformity with the Uniform System of Accounts.

This order is effective today.

Dated JUL 22 1981, at San Francisco, California.

John E. Bryan
President
Richard D. Rice
Donald J. Smith
Victor Calvo
Prudence C. Smith
Commissioners

T/am/nb

Appendix A

CLIFTON A. HODGE
JOHN W. ENSIGN
ERNEST ANHALT
doing business as
CONEJO COACH

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE AS A
PASSENGER STAGE CORPORATION
PSC - 1171

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

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.

Issued under authority of Decision 93329 dated JUL 22 1981
of the Public Utilities Commission of the State of California in
Application 60404.

CLIFTON A. HODGE
JOHN W. ENSIGN
ERNEST ANHALT
doing business as
CONEJO COACH
(PSC-1171)

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Appendix A

CLIFTON A. HODGE
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(PSC-1171)

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

Clifton A. Hodge, John W. Ensign, Ernest Anhalt, dba Conejo Coach, by the certificate of public convenience and necessity granted by the decision noted in the margin, are authorized as a passenger stage corporation to provide home-to-work service between Thousand Oaks and Los Angeles, with stops over and along the routes described, subject, however to the authority of this Commission to change or modify the routes at any time and subject to the following provisions:

- (a) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (b) Passengers shall be boarded or disembarked at the authorized service points described in Section 2.
- (c) Alternate or additional stops shall not be established, except for temporary relocation of stops due to construction or emergency conditions.

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Decision 93329, Application 60404.

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Appendix A

CLIFTON A. HODGE
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(PSC-1171)

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SECTION 2. AUTHORIZED POINTS OF ORIGIN/TERMINATION.

<u>Service</u>	<u>Point</u>	<u>City</u>
Pickup and Discharge	Janss Rd. at Moorpark Rd.	Thousand Oaks
Pickup and Discharge	Westlake Blvd. at Thousand Oaks Blvd.	Thousand Oaks
Discharge Only	Sixth Street at Grand Avenue	Los Angeles
Discharge Only	Main Street at Temple Street	Los Angeles
Pickup Only	Temple Street between Main Street and Spring Street	Los Angeles
Pickup Only	Fifth Street at Grand Avenue	Los Angeles

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Appendix A

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SECTION 2. ROUTE DESCRIPTION.

Commencing at the intersection of Janss Rd. and Moorpark Rd. in the City of Thousand Oaks thence via the Ventura(101), Hollywood(101) and Harbor(11) Freeways to downtown Los Angeles serving the stops described in Section 2.

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