

Decision 93353 JUL 22 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of SURTRANS, INC., doing business as COASTLINES, a Passenger Stage Corporation, PSC-1128, transporting passengers and their baggage and package express between Monterey and San Luis Obispo, and all intermediate points thereto, over California Highway One, for authorization to remove any restrictions of seating capacity as shown in the certificate of Public Convenience and Necessity issued by Decision 92144, dated August 19, 1980.

Application 60556
(Filed May 14, 1981)

O P I N I O N

By Decision (D.) 92144 dated August 19, 1980, Surtrans, Inc., doing business as Coastlines, was granted a certificate of public convenience and necessity (PSC-1128) to establish a passenger stage corporation for the operation of a bus service between Monterey and San Luis Obispo.

Original Page 1 of Appendix A of D.92144 contains the following restriction:

(c) Service shall be provided in passenger vehicles with a seating capacity not to exceed 20 passengers.

By this application Surtrans, Inc. seeks to have this restriction removed.

Applicant proposes to use over-the-road coaches with seating capacities of 38 to 45 passengers. Applicant states that the larger vehicles would be easier to maintain, more dependable, safer, and equipped with a wheelchair lift.

The application was listed on the Commission's Daily Calendar of May 19, 1981. 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.^{1/}

Applicant states that the summer peak travel season has begun and that the service restriction should be removed as soon as possible.

Findings of Fact

1. Applicant has the ability, equipment, and financial resources to perform the proposed service.
2. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
3. Need for immediate commencement of the proposed service has been demonstrated and the effective date of this decision should be the date of signature.

Conclusions of Law

1. Public convenience and necessity require that the application be granted.
2. A public hearing is not necessary.

^{1/} Monterey Peninsula Transit (MPT) has sent correspondence to the Commission staff questioning applicant's financial status, the alleged planning failures of another agency, and the wisdom of adding wheelchair lifts to applicant's buses, among other items. Although not properly filed as a protest, we have considered MPT's questions and find them unpersuasive. The larger vehicle size will improve applicant's revenues, the actions of other agencies are not determinative of the issue of public convenience and necessity before us in this proceeding, and public policy generally favors the accommodation of handicapped passengers on transportation services whenever feasible. MPT has raised no issue justifying the delay or denial of these expanded transportation services.

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.

ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Surtrans, Inc., authorizing it to extend its operations as a passenger stage corporation, as defined in PU Code Section 226, between the points and over the routes as set forth by incorporating First Revised Page 1 Cancels Original Page 1, attached.

2. Applicant shall:

- a. File a written acceptance of this certificate within 30 days after this order is effective.
- b. Comply with General Orders Series 79, 98, 101 and 104, and the California Highway Patrol safety rules.
- c. Maintain accounting records in conformity with the Uniform System of Accounts.

This order becomes effective today.

Dated JUL 22 1961, at San Francisco, California.

John E. Bayne President
Richard D. Powell
Thomas M. Jones
Victor Calvo
Paul C. Hays Commissioners

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

Surtrans, Inc., by the certificate of public convenience and necessity, granted by the decision noted in the margin, is authorized to transport passengers and their baggage and express between Monterey and San Luis Obispo and along the route described, subject, however, to the authority of this Commission to change or modify this route at any time and subject to the following provisions:

- (a) Motor vehicles may be turned at termini and immediate points, in either direction, at intersections of streets or by operating 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)

Issued by California Public Utilities Commission.

*Deleted by Decision 93353, dated JUL 22 1981,
Application 60556.