

Decision 93457 **AUG 18 1981****ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application  
of Storer Transit Systems, Inc.,  
a California Corporation, for the  
authority to operate route for  
transportation of passengers be-  
tween Modesto, Ceres, Keyes,  
Turlock and Denair, CA and certain  
points between.

Application 60732  
(Filed July 15, 1981)

O P I N I O N

By this application, Storer Transit Systems, Inc. seeks authority for new local transit passenger stage services to serve Modesto, Ceres, Keyes, Turlock, Denair, and intermediate points. Applicant is a newly formed California Corporation and is under common ownership and control with Storer Transportation Services, Inc. Storer Transportation operates several passenger stage routes in the greater Modesto area, and also statewide tour routes originating in Stanislaus, San Joaquin, and Merced counties, under passenger stage certificates (PSC-930 and PSC-930-B) granted by Decisions 90161 and 92087 in Applications 58434 and 59654.

Applicant proposes to conduct the proposed services with two 15-passenger air-conditioned transit buses, equipped to accommodate passengers in wheelchairs as well as passengers not requiring such facilities. The buses will also have AM/FM stereo. The proposed one-way fare is 50 cents for service between any two points along the routes.

Applicant's proposed new services are different and distinct from any other passenger stage service in this territory. Applicant will provide a very localized type of transit service, with scheduled service points at numerous points of interest along the routes, including shopping centers, medical and hospital facilities, city parks, mobile home parks, libraries, and post offices. Applicant will

operate frequent schedules, including service at times convenient for commuter trips, and will additionally pick passengers up at any requested location along the routes on a flagstop basis.

Applicant will provide service to Denair, a community presently lacking any such service. Finally, applicant's vehicles will be handicapped-accessible, with wheelchair lifts and internal mountings for the safe securing of wheelchair patrons on board. This will provide needed mobility for people who would otherwise encounter greater difficulty in reaching shops, medical facilities, social activities, and so forth. There are no passenger stage services in this territory which are comparable to the type and level of service applicant proposes.

Applicant's balance sheet shows assets of \$10,000, and applicant is also arranging for local subsidy funding. As noted, applicant, through its affiliated corporation, has experience conducting similar passenger stage services in the Modesto area.

Applicant has served notice of the application on Greyhound Lines, Stanislaus County, and the Cities of Modesto, Ceres, and Turlock, and notice of this application was listed on the Commission's Daily Calendar. A protest was filed on July 28, 1981, by Greyhound, but, as applicant's proposed service is basically different and distinct from Greyhound's, as discussed above, we find the protest unpersuasive.<sup>1/</sup>

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<sup>1/</sup> Greyhound offered to withdraw its protest if Storer agreed to not carry any passengers "whose entire ride is between Modesto, CA on the one hand and Turlock, CA on the other". Imposition of such a broad restriction would work an undue and unnecessary burden to the detriment of the travelling public; Modesto and Turlock are the largest communities on the routes and can be expected to provide a major portion of the travel demand for these new services; the public should have the opportunity of receiving Storer's new services, for which there is no adequate local transit alternative, at the earliest possible date.

(Continued)

As these proposed transportation services would probably reduce private auto use with a resultant reduction in air pollution, there is little likelihood that the services would have an adverse effect on the environment.

The Commission's Transportation Division recommends that the authority be granted ex parte, as these transportation services are presently needed. Applicant indicates it is ready to start operating as soon as authorized.

Findings of Fact

1. Storer Transit Systems, Inc. seeks authority for passenger stage services in the Modesto-Turlock-Denair area.
2. Applicant has the equipment, expertise, and financial resources to institute and maintain the proposed service.
3. The proposed fares are justified.
4. There is public need for the proposed service.
5. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
6. A public hearing is not necessary.

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1/ (Continued)

In addition to this local transit service, Storer proposes to include commuter service between Turlock and Modesto. Greyhound's public timetable discloses the impossibility of anyone's making convenient commute trips on Greyhound; there being no arrival in Modesto between 6:15 and 9:10 a.m., nor, in the other direction, can passengers leave Turlock in the afternoon between 4:15 and 7:00 p.m.. Greyhound is simply not providing a commuter service in this territory. If Greyhound were offering a commute service, or if Storer's proposal were to duplicate Greyhound's intercity service in some non-insignificant way, a protest might have more merit. On these facts, though, we find the two services are

(Continued)

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Conclusion of Law

1. Applicant has demonstrated that public convenience and necessity require granting of the application.

2. The application should be granted as set forth in ensuing order. Because of the present need for these transportation services, the order should be effective today.

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 Storer Transit Systems, Inc., authorizing it 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, attached.

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1/ (Continued)

substantially different and that Section 1032 does not bar our granting this application; See Amador Stage Lines, Decision 91954 in Application 59368. The certificate we will issue will authorize Storer's transit and commute services in full, with the commute service defined to operate during the peak commute hours consistent with the services proposed by Storer in Exhibit D to the application.

2. Applicant 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 its tariffs and timetables when service will start; allow at least five days' notice to the Commission; and make timetables and tariffs effective five or more days after this order is effective
- d. Comply with General Orders 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           AUG 18 1981          , at San Francisco,

California.

          John E. Bryson            
President  
          Richard D. Stovell            
          Thomas W. Jensen            
          Walter Caber            
          Russell C. Yuen            
Commissioners

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
TO OPERATE AS A  
PASSENGER STAGE CORPORATION  
PSC-1178

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

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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 93457, dated AUG 18 1981  
of the Public Utilities Commission of the State of California  
in Application 60732.



## SECTION 2. ROUTE DESCRIPTIONS.

Route 1 Modesto-Ceres-Keyes-Turlock-Denair

Commencing at 9th and I Streets in Modesto, east on I Street to 10th Street, south on 10th Street to E Street to State Route 99, south on SR 99 to the Whitmore Avenue exit, east on Whitmore Avenue to 2nd Street in Ceres, south on 2nd Street to Magnolia Avenue, east on Magnolia Avenue to 3rd Street, south on 3rd Street to SR 99, south on SR 99 to the Mitchell Road exit to Redwood Road, east on Redwood Road in Ceres to Faith Home Road, south on Faith Home Road to Frontage Road, south on Frontage Road to Lizzie Road, east on Lizzie Road to 7th Street, south on 7th Street to Keyes Road, east on Keyes Road to Geer Road, south on Geer Road to West Monte Vista Avenue, west on West Monte Vista Avenue to turnaround in Stanislaus State College Parking lot, east on West Monte Vista Avenue to Geer Road, south on Geer Road to Golden State Boulevard, south on Golden State Boulevard to Turlock's Central Park, east on Crane Avenue to Center Street, north on Center Street to East Olive Avenue, east on East Olive Avenue to North Olive Avenue, north on North Olive Avenue to Delbon Avenue, west on Delbon Avenue to Colorado Avenue, north on Colorado Avenue to East Monte Vista Avenue, east on East Monte Vista Avenue to Main Street in Denair, east on Main Street to Denair Community Hall, return by reverse of route.

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SECTION 2. ROUTE DESCRIPTIONS. (Continued)

Route 2 Modesto-Turlock-Stanislaus State College

Commencing at 9th and I Streets in Modesto, east on I Street to 10th Street, south on 10th Street to E Street, west on E Street to State Route 99, south on SR 99 to Taylor Road exit in Turlock to Golden State Boulevard, south on Golden State Boulevard to West Monte Vista Avenue, east on West Monte Vista Avenue to Stanislaus State College Parking lot, east on West Monte Vista Avenue to Geer Road to Golden State Boulevard to Turlock's Central Park, and return by reverse of route.

Route 3 Modesto-Turlock Commute

Commencing at 9th and I Streets in Modesto, east on I Street to 10th Street, south on 10th Street to E Street, west on E Street to State Route 99, south on SR 99 with flag stops via Ceres, Keyes, Stanislaus State College along route to Taylor Road exit in Turlock to Golden State Boulevard, south on Golden State Boulevard to Turlock's Central Park, return by reverse of route.

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