

T/seq

Decision 93610 OCT 6 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:
ORANGE BELT STAGES, a corporation, for
an order amending restrictions as to
local service as a passenger stage
corporation over presently authorized
routes between Visalia and Bakersfield,
California.

Application 60578
(Filed May 20, 1981)

O P I N I O N

By Decision (D.) 77665 dated August 25, 1970, Orange Belt Stages, Inc. was granted a certificate of public convenience and necessity (PSC-885) to establish a passenger stage corporation to transport passengers, baggage, and express between various points and places within the State of California.

Original Page 2 of Appendix A of D.77665 contains the following restriction:

"(e) No passenger, baggage or express shall be transported in service between Visalia and points west thereof, on the one hand, and Bakersfield, on the other hand, over the route via Exeter, Porterville and Ducor."

By this application Orange Belt Stages, Inc. seeks to have this restriction removed.

Applicant states that the equipment providing the existing service between Visalia and Bakersfield is not filled to capacity and will be used in providing the proposed local service.

Applicant proposes to establish fares and rates applicable to the local services, to be authorized by removal of the restriction, in accordance with mileage scales of rates authorized by the Commission in connection with its present services.

Elimination of the restriction will allow more direct service to the traveling public and promote fuel efficiency. Granting of the application will have no adverse effect on the environment because the service resulting from removal of the restriction will be performed on buses already in operation.

Applicant alleges that the proposed relief will not result in any significant diversion of passengers from such operations as may exist between involved points.

Application was listed on the Commission's Daily Calendar of May 22, 1981. Copies of this application were served on interested parties. No protests have been received.

Findings of Fact

1. Orange Belt Stages, Inc. holds a passenger stage corporation certificate to provide service between various points within the State of California.

2. The certificate contains a restriction which prevents service between Visalia and points west, on the one hand, and Bakersfield, on the other hand.

3. Applicant seeks to have the restriction removed.

4. Applicant has the ability, equipment, and financial resources to perform 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. There are no protests concerning this application.

Conclusions of Law

1. Public convenience and necessity require that the application be granted.

2. 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 Orange Belt Stages, Inc., a corporation, authorizing it to operate as a passenger stage corporation, as defined in PU Code Section 226, between the points and over the routes as set forth in Appendix A by incorporating Second Revised Page 2 Cancels First Revised Page 2, attached.

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 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 Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.

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

This order becomes effective 30 days from today.

Dated OCT 6 1981 at San Francisco, California.

JOHN E. BRYSON
President
RICHARD D. GRAVELLE
LEONARD M. GRIMES, JR.
VICTOR CALVO
PRISCILLA C. CREW
Commissioners

*I certify that this decision was
approved by the above Commissioners
on today.*

John E. Bryson


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

Orange Belt Stages, a corporation, is authorized to transport express, passengers, and their baggage between the termini and all intermediate points over the routes described, subject to the following conditions and restrictions:

- (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.
- (c) Express shall be transported in passenger-carrying vehicles only, and limited to a weight of not more than 100 pounds per shipment.
- (d) No express shall be transported over the route between Tehachapi and the California Correctional Facility.
- *(e)
- (f) No local service shall be rendered between Muroc Junction and Beecher's Corner and intermediate points.
- (g) No local service shall be rendered between points located on California Highway 99, between Famoso & Bakersfield.
- (h) No passengers shall be transported whose origin and destination are both between Bakersfield terminal and Brundage Lane, intermediate points inclusive.
- (i) Service between Tehachapi and the California Correctional Facility shall be conducted in special operations only. Special operations are conducted in nonscheduled service to accommodate groups moving over authorized routes of applicant or connecting carriers; payment of transportation is assessed on an individual fare basis.

Issued by California Public Utilities Commission.

*Deleted by Decision 93610, dated OCT 6 1981,
Application 60578.