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Decision 95-11-010 November 8, 1995

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of ORANGE BELT STAGES for a)
Certificate of Public Convenience)
and Necessity to Operate Intrastate)
Passenger Stage Service Between:)
Bakersfield and Santa Barbara,)
Bakersfield and Indio, Paso Robles)
and Santa Barbara.)

ORIGINAL
Application 95-07-038
(Filed July 28, 1995)

O P I N I O N

Orange Belt Stages, a corporation (applicant), requests authority under Public Utilities ((PU) Code § 1031 et seq. to extend its passenger stage corporation to transport passengers, baggage, and express. Applicant is currently authorized to operate as a passenger stage corporation pursuant to Decision (D.) 77665, as amended, between certain points in the Sacramento Central and South Valleys, including Mojave, Palmdale, Lancaster, and Los Angeles and intermediate points.

Applicant proposes to perform scheduled service between: (1) Bakersfield and Santa Barbara, and intermediate points that includes Glendale, Fillmore, Oxnard, and Ventura; (2) Bakersfield and Indio, and intermediate points that includes Van Nuys, Los Angeles Union Station, Claremont, Ontario, Riverside, San Bernardino, Palm Springs, and Palm Desert; and (3) Paso Robles and Santa Barbara, and intermediate points that includes Atascadero, San Luis Obispo, Pismo Beach, Santa Maria, Lompoc, and Buellton.

Notice of filing of this application appeared in the Commission's Daily Calendar on August 8, 1995. The applicant notified all of the affected cities. No protest has been received.

The Safety and Enforcement Division recommends that this application be granted.

Findings of Fact

1. Applicant is currently authorized to operate as a passenger stage corporation pursuant to D.77665, as amended, between certain points in the Sacramento Central and South Valleys, including Mojave, Palmdale, Lancaster and Los Angeles, and intermediate points.

2. Applicant requests authority to extend its passenger stage scheduled service between: (1) Bakersfield and Santa Barbara and intermediate points that includes Glendale, Fillmore, Oxnard, and Ventura; (2) Bakersfield and Indio, and intermediate points that includes Van Nuys, Los Angeles Union Station, Claremont, Ontario, Riverside, San Bernardino, Palm Springs, and Palm Desert; and (3) Paso Robles and Santa Barbara, and intermediate points that includes Atascadero, San Luis Obispo, Pismo Beach, Santa Maria, Lompoc, and Buellton.

4. Public convenience and necessity require the proposed extension of service.

5. No protests to the application have been filed.

6. A public hearing is not necessary.

7. 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. The application should be granted.

2. Since the matter is uncontested, the decision should be effective on the date signed.

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. The certificate of public convenience and necessity granted to Orange Belt Stages, a corporation (applicant), authorizing it to operate as a passenger stage corporation, as defined in Public Utilities (PU) Code § 226, to transport persons and their baggage between the points and over the routes set forth in Appendix A of Decision 77665, as amended, is further amended by including Original Page 7.

2. Applicant shall:

- a. File a written acceptance of this amended 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 the tariffs and timetable 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 101, 104, and 158, and the California Highway Patrol (CHP) safety rules.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.
- f. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.

3. Applicant is authorized to begin operations on the date that the Executive Director mails a notice to applicant that its

evidence of insurance is on file with the Commission and that the CHP has approved the use of applicant's vehicles for service.

4. Applicant shall comply with PU Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.

5. The application is granted as set forth above.

This order is effective today.

Dated November 8, 1995, at San Francisco, California.

DANIEL Wm. FESSLER
President
P. GREGORY CONLON
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners

T/MM

Appendix A
(D.77665)

ORANGE BELT STAGES
(a corporation)
(PSC-885)

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SECTION 2. ROUTE DESCRIPTIONS. (Concluded)

Route 17 - Bakersfield - Santa Barbara

Commencing from Bakersfield, then over the most convenient streets and highways to Santa Barbara and intermediate points that includes Glendale, Fillmore, Oxnard and Ventura.

Route 18 - Bakersfield - Indio

Commencing from Bakersfield, then over the most convenient streets and highways to Indio and intermediate points that includes Van Nuys, Los Angeles Union Station, Claremont, Ontario Riverside, San Bernardino, Palm Springs, and Palm Springs.

Route 19 - Paso Robles - Santa Barbara

Commencing from Paso Robles, then over the most convenient streets and highways to Santa Barbara and intermediate points that includes Atascadero, San Luis Obispo, Pismo Beach, Santa Maria, Lompoc, and Buellton.

Issued by California Public Utilities Commission.

*Added by Decision 95-11-010, Application 95-07-038.