

Decision 97-09-036 September 3, 1997

SEP 3 1997

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of Application of Blue Bird Bus Co., LLC, to extend its passenger stage authority PSC-9918 to add three scheduled stops in the immediate vicinity of the presently authorized stop in Los Angeles County pursuant to Section 1031, et seq., of the California Public Utilities Code.

**ORIGINAL**  
Application 97-06-040  
(Filed June 25, 1997)

**OPINION**

Blue Bird Bus Co., LLC (applicant), a limited liability company, requests authority under Public Utilities (PU) Code § 1031 et seq., to extend its passenger stage corporation, as defined in PU Code § 226, to transport passengers and their baggage. Applicant is currently authorized to operate as a scheduled passenger stage corporation (PSC-9918) pursuant to Decision (D.) 95-09-107 between Bell and San Ysidro.

Applicant proposes to extend its scheduled service to include stops at certain points located within the cities of Huntington Park, Los Angeles, and the community of East Los Angeles. The present and proposed timetable indicates the service will be operated seven times daily between Bell and the above intermediate points and San Ysidro. The proposed adult one-way and round-trip fares of \$13 and \$20, respectively, are the fares now assessed by the applicant. Applicant will operate the service with eight 15-passenger vans. Applicant indicates that the requested extension of service is necessary to meet the demands of its customers.

D.95-09-017 also authorized the transfer of the certificate of public convenience to operate as a passenger stage corporation, pursuant to PU Code § 854 (a), from Carlos Alberto Berdugo, an individual, doing business as The Blue Bird Co., to the applicant. The decision, however, did not define the operating rights of the applicant. This decision will describe the present operating rights and the requested authority proposed in this application in Appendix PSC-9918. Notice of filing of this application appeared in the Commission's Daily Calendar of June 27, 1997. The applicant mailed a

copy of the application to the Metropolitan Transit Authority and notified all of the affected cities. No protest has been received.

The Rail Safety and Carriers Division recommends that this application be granted.

#### **Findings of Fact**

1. The certificate of public convenience and necessity granted to Carlos Alberto Berdugo, an individual, authorizing him to operate as a passenger stage corporation, as defined in PU Code § 226, to transport persons and their baggage between the points and over the route set forth in Appendix PSC-8794 of D.94-02-002 was transferred by D.95-09-107 to applicant.

2. Applicant proposes to extend its scheduled service to include the cities of Huntington Park, Los Angeles, and the community of East Los Angeles.

3. The applicant's present operating rights are not defined.

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. The applicant's present operating rights should be defined and included in this decision.

3. 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 applicant is authorized to extend its operations as a passenger stage corporation as set forth in Appendix PSC-9918.
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 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 Public Utilities (PU) Code § 403 when notified by mail to do so.
  - g. Applicant shall comply with PU Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.
  - h. Enroll all of its drivers in the pull notice system as required by Section 1808.1 of the Vehicle Code.
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 California Highway Patrol has approved the use of applicant's vehicles for service.

A.97-06-040 ALJ/KLK/bwg \*

4. The application is granted as set forth above.
5. This proceeding is closed.

This order is effective today.

Dated September 3, 1997, at San Francisco, California.

P. GREGORY CONLON

President

JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEEPER

RICHARD A. BILAS

Commissioners

T/MM

Appendix PSC-9918

Blue Bird Bus Co., LLC  
(a limited liability company)

Original Title Page

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC-9918

-----  
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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Supersedes authority heretofore granted to  
Carlos Alberto Berdugo, an individual,  
by D.94-02-002.

Issued under authority of Decision 97-09-036, dated September 3, 1997,  
of the Public Utilities Commission of the State of California in  
Application 97-06-040.

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Issued by California Public Utilities Commission.

Decision 97-09-036, Application 97-06-040.

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

This certificate supersedes all passenger stage operative authority granted to Carlos Alberto Berdugo, an individual.

Blue Bird Bus Co., LLC, a limited liability company, by the certificate of public convenience and necessity granted by the decision noted in the foot of the margin, is authorized to transport passengers and their baggage on a scheduled service, between the points described in Section IIA, on the one hand, and Section IIB, on the other hand, over and along the route described in Section III, subject, however, to the authority of this Commission to change or modify the route at any time and subject to the following provisions:

- a. When route description is given in one direction, they apply to operation in either direction unless otherwise indicated.
- b. Scheduled service will be operated only at the designated service points listed in Section II. Such schedules shall be the timetable filed with the Commission. All of the stop points shall be described in the timetable filed with the Commission.
- c. No passengers shall be transported except those having either a point of origin or destination as described in Section IIB.

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SECTION II. SERVICE AREA.

A. The following cities and community in the County of Los Angeles:

Bell                      Huntington Park              Los Angeles  
East Los Angeles

B. San Ysidro, San Diego County.

SECTION III. ROUTE DESCRIPTION.

Commencing from the City of Bell, then via the most convenient streets and highways to the cities or community described in Section IIA, and then to San Ysidro, described in Section IIB.

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