

R2-47 DISCONTINUANCE OF SERVICE

(a) No common carrier shall abandon or discontinue any service authorized by its certificate without first obtaining written authority from the Commission. The petition for such authority shall be filed with the Commission at least thirty (30) days prior to any discontinuance, unless otherwise authorized by the Commission, and if petitioner is a motor carrier of passengers, shall show in support thereof the information set forth in paragraph (c) herein. The discontinuance or nonuse of a service authorized by a certificate for a period of thirty (30) days or longer without the written consent of the Commission shall be considered good cause for cancellation, seasonal service excepted. Upon receipt of a petition for authority to discontinue or abandon service, the Commission may designate a time and place for hearing on the petition. If a petitioning bus company proposes to discontinue service over any intrastate route or proposes to reduce its level of service to any points on a route to a level of service which is less than one trip per day, excluding Saturdays and Sundays, the Commission shall, within ten (10) days after the filing of the petition, require notice to be given to the public by posting notice of the petition in buses serving such routes and in bus stations or other prominent places along said routes. If no objections are filed to the petition by any person or the Public Staff within thirty (30) days after notice is given, the Commission may proceed to decide the petition based on the record and without a hearing.

(b) All interruptions of passenger service, where likely to continue for more than twenty-four hours, shall be reported promptly to the Commission and to the public along the route, with full statement of the cause and its possible duration.

(c) In support of any petition or schedule which proposes to reduce motor passenger carrier service over any North Carolina route or to any North Carolina point to a level which is less than one (1) trip per five (5) days per week excluding Saturdays and Sundays, the proponent carrier shall furnish the data set forth hereinbelow:

- (1) A listing of the origin, termination and all intermediate points which will lose the proponent carrier's service.
- (2) A statement as to whether the proponent carrier is the last or only intercity motor carrier of passengers to or from the issue points or over the issue route.
- (3) A statement identifying any reasonable alternative to the proponent carrier's passenger and express services on the issue route and to or from the issue points, which statement shall identify the location of the alternative services relative to the issue route and points.
- (4) For the latest twelve months available to the proponent carrier, a statement showing:
 - a. total system bus miles operated;
 - b. total N.C. bus miles operated;
 - c. scheduled system bus miles operated; and
 - d. scheduled N.C. bus miles operated.
- (5) A statement or exhibits calculating and showing:
 - a. estimated or actual passenger revenues, at actual and present annualized levels, attributable to that portion of the proponent carrier's operations proposed to be abandoned, but not including passenger revenues which the carrier expects to retain in connection with other services which it will still operate;
 - b. estimated or actual express revenues, at actual and present annualized levels, attributable to that portion of the proponent carrier's operations proposed to be abandoned, but not including express revenues which the carrier expects to retain in connection with other services which it will still operate;
 - c. actual or scheduled N.C. bus miles, for the latest twelve (12) months available, operated in service over that portion of the route proposed to be discontinued; and
 - d. estimated or actual number of interstate and intrastate passengers transported over the issue route or to or from the issue points during the latest twelve (12) months available.

The statements or exhibits containing the calculations and information required under Items A, B, C and D above shall be presented in such a manner and in such detail that the Commission can verify the sampling and apportionment methodologies used and can determine the treatment by the proponent carrier of revenues originating outside the issue route but within the carrier's system going to any issue point; revenues originating at an issue point going to points within the carrier's system but outside the issue route; and revenues originating and terminating along the issue route. The proponent carrier also shall, at a site in North Carolina designated by it, make available for inspection by all parties, and upon order of the Commission shall file, copies of ticket samples, driver reports, station reports, bus bills, schedule information reports, trend sheets or any other source documents which show or were used to develop revenues or passenger counts (whether by schedule, points or route) as determined in Items A through D above.

- (6) The proponent carrier shall calculate and furnish its system variable costs and the fully allocated costs attributable to service along and to the issue route and points, with an explanation of how the costs were calculated, and of any assumptions underlying the calculations, which assumptions must be consistent with any used to calculate revenues. The proponent carrier shall furnish such information pursuant to forms and in the format as from time to time shall be approved by the Commission, if any, but nothing herein shall preclude the carrier from submitting, in addition to the above, the same data in a different form or format if it so desires.

(NCUC Docket No. M-100, Sub 98, 6/6/84; NCUC Docket No. M-100, Sub 109, 5/20/86; NCUC Docket No. T-100, Sub 32, 8/23/95.)