

Decision No. 28607

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
LASSEN NATIONAL PARK CAMP, LTD., a  
corporation, for certificate of public  
convenience and necessity to operate  
express and passenger, baggage and  
freight service as a common carrier  
between Redding, California, and  
Manzanita Lake, California. )  
 )  
 ) Application No. 20062.  
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 )  
 )

BY THE COMMISSION:

**ORIGINAL**

O P I N I O N

THE LASSEN NATIONAL PARK CAMP, LTD., a California corporation, in this application as amended, seeks authority to establish seasonal service between Redding and Manzanita Lake, in the Mt. Lassen Park area, for the transportation of passengers, baggage and express, the operation to be conducted over a new highway recently constructed and known as State Route No. 44. At present there is no service between the termini, and the service proposed will also serve Millville, Shingletown and Viola, the operation to be conducted on Tuesdays and Thursdays to begin with, or more often as demands may require.

This appears to be a matter in which a public hearing is not necessary.

The application will be granted.

THE LASSEN NATIONAL PARK CAMP, LTD., a corporation, is hereby placed upon notice that "operative rights" do not constitute a class of property which should be capitalized or used as an element of value in determining reasonable rates. Aside

from their purely permissive aspect, they extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be changed or destroyed at any time by the State which is not in any respect limited to the number of rights which may be given.

O R D E R

THE LASSEN NATIONAL PARK CAMP, LTD., having made application for a certificate of public convenience and necessity to establish and operate an automotive service between Redding and Manzanita Lake in Lassen Volcanic National Park,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by THE LASSEN NATIONAL PARK CAMP, LTD., of an automotive service as a highway common carrier for the transportation of passengers, baggage and express between Redding and the western gateway of Lassen Volcanic National Park and intermediate points via Millville, Shingletown and Viola over State Highway Route No. 44.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity therefor be and the same hereby is granted, subject to the following conditions:

1. No express matter may be transported except upon the passenger carrying vehicles of applicant.
2. Applicant shall file its written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from date hereof.
3. Applicant shall file, in triplicate, and make effective within a period of not to exceed thirty (30) days after the effective date of this order, on not less than one (1) day's notice to the Commission and the public a tariff or tariffs constructed in accordance with the requirements of the Com-

mission's General Orders and containing rates and rules which, in volume and effect, shall be identical with the rates and rules shown in the exhibit attached to the application in so far as they conform to the certificate herein granted, or rates satisfactory to the Railroad Commission.

4. Applicant shall file, in duplicate, and make effective within a period of not to exceed thirty (30) days after the effective date of this order, on not less than one (1) day's notice to the Commission and the public, time schedules covering the service herein authorized in a form satisfactory to the Railroad Commission.

5. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.

6. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 2nd day of March, 1936.

M B Lewis  
Leon Whittell  
W A Cum  
W H [unclear]  
Frank R. [unclear]  
COMMISSIONERS.