

Decision No. 36659

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of GLENN)
 WRIGHT and A. R. WRIGHT dba HUNTER LIGGETT)
 STAGES for certificate of public con-)
 venience and necessity to operate a passen-) Application No. 25798
 ger service between King City, California)
 and San Miguel, California. Via Hunter)
 Liggett Military Reservation.)

ORIGINAL

BY THE COMMISSION:

O P I N I O N

Glenn Wright and A. R. Wright partners, doing business as Hunter Liggett Stages, seek a certificate of public convenience and necessity authorizing the establishment and operation of a passenger stage service between San Miguel and King City and intermediate points via Hunter Liggett Military Reservation near Jolon. This reservation is situated a considerable distance westerly from the main highway (United States Highway No. 101) between San Miguel, Bradley and King City. The route of proposed operation would be over United States Highway No. 101 between San Miguel and a point near Bradley, thence over a county road via Pleyto, Jolon and Hunter Liggett Military Reservation and continuing over said county road to its intersection with United States Highway No. 101 near King City. No local service is proposed between San Miguel and Bradley or points intermediate thereto.

The fares proposed to be charged are as follows:

	And: King :Between: City :	Camp : Jolon :	Camp : Pleyto :	: : Bradley: :	: Gate #1 : Camp : Roberts :	: : San Miguel :
King City -	.60 1.10 RT	1.15 2.10 RT	1.70 3.05 RT	1.90 3.45 RT	2.00 3.60 RT	
Camp Jolon -	-	.60 1.10 RT	1.10 2.00 RT	1.40 2.50 RT	1.45 2.60 RT	
Camp Pleyto -	-	-	.50 .90 RT	.70 1.30 RT	.85 1.55 RT	
Miles from King City	19	39	56	63	67	

Applicants plan to provide two round-trips daily. They assert that they now have available for this service five pieces of automotive equipment. Four of these are of 10-passenger capacity and one is of 7-passenger capacity.

In support of the authority sought it is alleged that Hunter Liggett Military Reservation is presently without any form of public transportation. Attached to the application are copies of letters from the commanding officer and the provost marshal of (1) Camp Roberts stating in substance that there is a military force established at Hunter Liggett which is in need of a public transportation service of the type proposed. It is further asserted that the proposed operation would be of service to the members of this establishment and would be superior and preferable to present taxi cab service to and from the Reservation.

Applicants' proposal is based upon an alleged public need for a passenger stage service between the military reservations named, on the one hand, and San Miguel, Bradley and King City, on the other hand. There is no showing made that there is a public need for an additional service between San Miguel, Bradley and King City which are presently served by other common carriers. In our judgment, and it is so found, public convenience

(1) Hunter Liggett Reservation is under the command of the commanding officer of Camp Roberts.

and necessity require the establishment and operation of a passenger stage service between San Miguel and King City and intermediate points via Bradley and Camp Pleyto and Camp Jolon except locally between San Miguel and Bradley and intermediate points, and except between San Miguel and Bradley and intermediate points, on the one hand, and King City, on the other hand.

A certificate authorizing the establishment and operation of a passenger stage service will be granted as provided for in the following order. This is not a matter in which a public hearing is necessary.

Glenn Wright and A. R. Wright are placed upon notice that "operative rights" as such do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. 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

An application therefor having been filed and it having been found that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and

necessity is hereby granted to Glenn Wright and A. R. Wright authorizing the establishment and operation of service as a passenger stage corporation, as defined in section 2 $\frac{1}{2}$ of the Public Utilities Act, for the transportation of passengers between San Miguel and King City and intermediate points via Bradley, Camp Pleyto and Camp Jolon (Hunter Liggett Military Reservation) subject to the following restrictions and condition:

1. No passengers having both origin and destination between San Miguel and Bradley or intermediate points shall be transported.
2. No passengers may be transported between San Miguel and Bradley and intermediate points, on the one hand, and King City, on the other hand.
3. The authority herein granted is subject to the provisions of Section 52(b) of the Public Utilities Act and further to the condition that Glenn Wright and A.R. Wright, their successors or assigns, shall never claim before this Commission, or any court or other public body, a value for said operative rights or claim as the cost thereof, an amount in excess of that paid to the State as the consideration for such rights.

(2) That in the operation of said passenger stage service applicants shall comply with and observe the following service regulations:

1. Applicants shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the effective date hereof.
2. Applicants shall comply with the provisions of General Order No. 79 and Part IV of General Order No. 93-A by filing, in triplicate, and concurrently making effective, tariffs and time schedules satisfactory to the Commission within sixty (60) days from the effective date hereof and on not less than five (5) days' notice to the Commission and the public.
3. Subject to the authority of this Commission to change or modify them at any time by further order, conduct said passenger stage operations over and along the following routes:

Over United States Highway No. 101 between San Miguel and the intersection of said United States Highway No. 101 and the Camp Jolon county road near Bradley, thence over and along such county road via Camp Pleyto and Camp Jolon to its intersection with United States Highway No. 101 near King City.

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

Dated at San Francisco, California, this 19th
day of October, 1943.

Francis D. Avenue
H. B. ...
Justin D. ...
Richard ...
Francis ...

COMMISSIONERS