

Decision No. 37844

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
S. F. SPURGEON, owner of BUCK'S LAKE)
LODGE for certificate of public con-)
venience and necessity to operate a)
stage and express line service between)
Quincy, Meadow Valley and Buck's Lake)
Lodge, county of Plumas, state of)
California,)

ORIGINAL

Application No. 26599

BY THE COMMISSION:

O P I N I O N

In this amended application S. F. Spurgeon is requesting a certificate of public convenience and necessity to establish and operate an automotive service for the transportation of passengers, freight and express between Quincy Junction and Buck's Lake Lodge, via Quincy, a distance of 23 miles.

The conditions which are relied upon by applicant as justifying the granting of a certificate are as follows:

"There is no stage, railroad or other public conveyance operating between the points named. The roads are unimproved and have many steep grades. From May 1 to November 1, both dates being approximate, the roads are traversable, but during the remaining months they are impassible due to heavy snows. Present one-way taxicab fare between the termini is \$10. Due to hard wear on tires and equipment, travel by private cars is difficult and expensive."

Applicant proposes to operate one schedule each way daily during the period from approximately May 1 to November 1 of each year. The single fares are fixed at 75-cents between Quincy Junction and Meadow Valley and \$1.50 between Quincy Junction and Buck's Lake Lodge. Meadow Valley is an intermediate point approximately 15 miles west of Quincy Junction.

It appears that the service proposed by applicant is in the public interest and the application will, therefore, be granted. There is no necessity for a public hearing.

S. F. Spurgeon is hereby 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.

ORDER

The above entitled matter having been fully considered, and the Commission being duly advised therein,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to S. F. Spurgeon 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, baggage and shipments of express not exceeding 100 pounds each, on passenger carrying vehicles, between Quincy Junction and Buck's Lake Lodge, and intermediate points.

(2) That in providing service pursuant to the certificate herein granted, the following service regulations shall be complied with:

1. Applicant 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. Applicant 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, appropriate tariffs and time schedules within sixty (60) days from the effective date hereof and on not less than one (1) day's notice to the Commission and the public.
3. Subject to the authority of the Commission to change or modify them by further order, applicant shall conduct operations, pursuant to the certificate herein granted, over and along the most appropriate route or routes between points herein authorized to be served.

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

Dated at San Francisco, California, this 15 day of May, 1945.

L. Harold Gudwin
Justin J. Cooney
Richard L. Locke
Francis E. ...
Irving H. Howell
 COMMISSIONERS