

ORIGINAL

Decision No. 39876

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
EUGENE WOODS and C. E. NORDSTROM,)
co-partners, doing business as)
NORDSTROM and WOODS, for a certifi-)
cate of public convenience and)
necessity to operate a common)
carrier passenger stage service)
between Truckee and Cisco Grove,)
California, and intermediate points.)

Application No. 28023

O P I N I O N

This is an application of Eugene Woods and C. E. Nordstrom, co-partners, doing business as Nordstrom and Woods, for a certificate of public convenience and necessity to operate a passenger stage service between Truckee and Cisco Grove and intermediate points. Subsequent to filing, the application was amended restricting the proposed service to the period from December 15 of each year to April 1 of the following year. Applicants now operate a school bus service over the route on which they propose to operate a passenger stage service, but the school service is not operated during the period December 15 to April 1.

The area involved in the application is situated due west of Truckee and extends along U. S. Highway No. 40 for approximately 18 miles. Applicants are engaged in operating and maintaining a ski tow, garage, stores and other equipment for the convenience of skiers at Soda Springs. They estimate an average population of 5000 persons in the area to be served, most of whom are there for the purpose of participating in the winter sports. Many of these persons travel to Cisco and Soda Springs by train but there is presently no means of transporting them from these points to their ski lodges along the route and to transport them on weekends.

-1-

Attached hereto are the schedules for the proposed passenger stage service between Truckee and Cisco Grove. Five schedules will be operated daily from Truckee to Cisco Grove and four in the reverse direction. Additional schedules will be operated only between Donner Lake and Donner Summit Lodge. The equipment to be operated in the proposed service is a 25-passenger 1936 model Ford bus.

Letters are on file with the Commission from Southern Pacific Company, Gibson Lines and Pacific Greyhound Lines, all operating in the territory, each advising that it does not desire to oppose the granting of the application as amended.

It appears that the proposed service is in the public interest and the application will be granted. There is no need for a public hearing.

Eugene Woods and C. E. Nordstrom are 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.

-2-

CORRECTION

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

ORIGINAL

Decision No. 39876

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
EUGENE WOODS and C. E. NORDSTROM,)
co-partners; doing business as)
NORDSTROM and WOODS, for a certifi-)
cate of public convenience and)
necessity to operate a common)
carrier passenger stage service)
between Truckee and Cisco Grove,)
California, and intermediate points.)

Application No. 28023

O P I N I O N

This is an application of Eugene Woods and C. E. Nordstrom, co-partners, doing business as Nordstrom and Woods, for a certificate of public convenience and necessity to operate a passenger stage service between Truckee and Cisco Grove and intermediate points. Subsequent to filing, the application was amended restricting the proposed service to the period from December 15 of each year to April 1 of the following year. Applicants now operate a school bus service over the route on which they propose to operate a passenger stage service, but the school service is not operated during the period December 15 to April 1.

The area involved in the application is situated due west of Truckee and extends along U. S. Highway No. 40 for approximately 18 miles. Applicants are engaged in operating and maintaining a ski tow, garage, stores and other equipment for the convenience of skiers at Soda Springs. They estimate an average population of 5000 persons in the area to be served, most of whom are there for the purpose of participating in the winter sports. Many of these persons travel to Cisco and Soda Springs by train but there is presently no means of transporting them from these points to their

places of lodging. There is also a need for transportation from the ski lodges to ski areas on the route proposed to be served.

The present operating bus lines do not carry skiers as passengers unless the skis are wrapped for shipment, nor do these carriers stop at ski lodges, and passengers are often required to wait on the road in severe winter weather. Applicant proposes to stop at ski lodges along the route and to transport skis on brackets affixed to the bus.

Attached to the application are fare and time schedules. A one-way fare of 50 cents is proposed between Truckee and Cisco Grove. Five schedules will be operated daily from Truckee to Cisco Grove and four in the reverse direction. Additional schedules will be operated only between Donner Lake and Donner Summit Lodge. The equipment to be operated in the proposed service is a 25-passenger 1936 model Ford bus.

Letters are on file with the Commission from Southern Pacific Company, Gibson Lines and Pacific Greyhound Lines, all operating in the territory, each advising that it does not desire to oppose the granting of the application as amended.

It appears that the proposed service is in the public interest and the application will be granted. There is no need for a public hearing.

Eugene Woods and C. E. Nordstrom are 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.

O R D E R

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be and it hereby is granted to Eugene Woods and C. E. Nordstrom authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 24 of the Public Utilities Act, for the transportation of passengers and their equipment between Truckee and Cisco Grove and intermediate points, subject to the following restriction:

No service shall be performed under the authorization granted herein except during the period from December 15 of each year to April 1 of the following year.

(2) That in providing service pursuant to the certificate herein granted, applicants shall comply with and observe the following service regulations:

- a. Applicants shall file a written acceptance of the certificate herein granted within a period of not to exceed 30 days from the effective date hereof.
- b. Within 60 days from the effective date hereof and on not less than 5 days' notice to the Commission and the public, applicants shall establish the service herein authorized and 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 tables.

- c. Subject to the authority of this Commission to change or modify it by further order, applicants shall conduct operations pursuant to the certificate herein granted over the following route:

Beginning at Truckee, thence via State Highway No. 40 to Donner Lake, Donner Summit, Kiski Lodge, Norden, Soda Springs, Donner Summit Lodge, Kingvale Park, Crampton's, Rainbow to Cisco Grove.

The effective date of this order shall be 20 days from the date hereof.

.. Dated at San Francisco, California, this 21st day of January, 1947.

Harold A. Kula
Justus F. Calver
Justus F. Calver
A. J. Johnson

COMMISSIONERS