

Decision No. 40158

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
WILLIAM T. ORR for a certificate of)
public convenience and necessity to)
operate a common carrier passenger)
service between Yreka, California,)
and the Siskiyou County Airport and)
way points.)

Application No. 28161

ORIGINAL

O P I N I O N

In this application William T. Orr is requesting a certificate of public convenience and necessity to operate an automotive service for the transportation of passengers between Yreka and Siskiyou County Airport, a distance of 13 miles, serving intermediate points.

The application alleges that Southwest Airways contemplates inauguration of a passenger service between various cities and towns in California and Oregon and that one of the points it will serve is the Siskiyou County Airport located 6 miles east of Montague, and 13 miles east of Yreka. According to the application there is a need for public transportation to serve passengers arriving at and leaving the Airport.

The General Traffic Manager of Southwest Airways states that it will be essential that ground transportation be provided between the Airport and the city of Yreka, and that public convenience and necessity will be served by such transportation timed to meet their planes.

Applicant has available a 1947 De Soto Suburban Sedan for his operation and will synchronize his trips with the arrival and

departure of planes at the field. A one-way passenger fare of \$1.80 between Yreka and the Airport is proposed, with 90 cent fares between Montague and the Airport, and between Yreka and Montague, respectively.

Yreka Railroad Company, the only common carrier between the points involved, operates an automobile passenger service between Yreka and Montague, coordinating with its train service, and has advised the Commission that it will not protest the granting of the application.

It appears that the proposed service is in the public interest and the application will therefore be granted. A public hearing is not necessary.

William T. Orr 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.

O R D E R

Application having been made as above entitled and the Commission being fully advised,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to William T. Orr 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 and their baggage on passenger carrying vehicles only between Yreka and Siskiyou County Airport and intermediate points.

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

- a. Applicant 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, applicant shall establish the service herein authorized and comply with the provisions of General Order No. 79 and Part IV of General Order No. 93-1, 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, applicant shall conduct operations pursuant to the certificate herein granted over and along the following route:

Beginning at Yreka thence via unnumbered State Highway to Montague thence via county road to the Siskiyou County Airport, and returning via the same route.

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

Dated at San Francisco, California, this 15th day of April, 1947.

Harold P. Huls
Justice F. Cassen
John S. Powell
R. J. [unclear]
Samuel H. [unclear]
 COMMISSIONERS