

ORIGINAL

Decision No. 40468

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
DARYL R. DRUHE for certificate of)	
public convenience and necessity to)	Application No. 28481
operate passenger and baggage service)	
between Boulder Creek and Big Basin.)	

O P I N I O N

By the above entitled application, as amended, Daryl R. Druhe requests a certificate authorizing a passenger stage service between Boulder Creek and Big Basin, which is situated in California State Redwood Park. The distance between termini is approximately nine miles. He plans to conduct the operation on a seasonal basis from about June 1 to September 30 of each year. The proposed one-way and round trip fares would be 60 cents and \$1.00, respectively. A 1938 Ford bus with a seating capacity of 24 passengers would be used to provide the proposed service. Three daily round trips would be operated.

According to the application more than 2,000 persons spend their summer vacations at Big Basin, which is equipped with amusement and recreational facilities for public use. The greater part of the highway between Boulder Creek and Big Basin is narrow, winding and has many relatively steep grades. Applicant states that there is no public transportation service available between these points, for which there is a public need.

After full consideration of applicant's request we find that public convenience and necessity require the establishment and operation of the proposed service. No public hearing is necessary.

Daryl R. Druhe 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

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 Daryl R. Druhe 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 baggage between Boulder Creek and Big Basin.

(2) That in providing service pursuant to the certificate herein 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-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, applicant shall conduct operations pursuant to the certificate herein granted over and along Big Basin Road between Big Basin and Boulder Creek.

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

Dated at San Francisco, California, this 28th day of June, 1947.

Harold P. Hale

Justus F. Cramer

Just Powell

C. J. ...

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COMMISSIONERS