

ORIGINAL

Decision No. 40471

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
MARTIN A. CAMERON and RAYMOND K. HART)
for a certificate of public convenience)
and necessity to operate a passenger)
and express service between Porterville)
and Bergman Corner, California.)

Application No. 28242

O P I N I O N

This is an application by Martin A. Cameron and Raymond K. Hart, co-partners, for a certificate of public convenience and necessity authorizing the establishment and operation of an automotive service for the transportation of passengers and express between Porterville and Bergman Corner and intermediate points, in the county of Tulare.

The area involved herein lies between Porterville and Tulare and is largely devoted to agriculture and the fruit industry. It has an estimated population of between 15,000 and 20,000. The distance between Porterville and Bergman Corner is approximately 24 miles. The application sets forth that a considerable number of people reside in the Poplar-Woodville section who have no public transportation between those points and to and from Porterville. The proposed service would also provide transportation for agricultural workers residing in Porterville who desire to reach the areas in which they are employed.

Applicants propose to operate six round trip schedules daily using a 27-passenger bus, and to augment that equipment with an additional bus of similar capacity when necessary.

Accompanying the application are schedules of proposed passenger fares and express rates. A fare between Porterville and Bergman Corner of \$1 is proposed. Express packages will be limited to 100 pounds in weight. Pick-up and delivery of express is limited to Porterville, Poplar and Woodville.

It appears that the application should be granted. A public hearing is not required.

Martin A. Cameron and Raymond K. Hart 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

We hereby find that public convenience and necessity require the proposed operation. Therefore, and good cause appearing,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Martin A. Cameron and Raymond K. Hart authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 2½ of the Public Utilities Act, for the transportation of passengers and shipments of express weighing not to exceed 100 pounds each on passenger carrying vehicles only, between Porterville and Bergman Corner and intermediate points.

(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 and along the most appropriate route or routes between the points herein authorized to be served.

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

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

Harold P. Kule
Justus J. Gaeves
Leo A. Russell
A. J. [unclear]
Benjamin Patten
COMMISSIONERS