

Decision No. 41759

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 SUN VALLEY BUS LINES, INC., a corp-)
 oration, for certificate of public)
 convenience and necessity to operate)
 as a common motor carrier of passengers)
 and hand baggage over unnumbered paved)
 highway from Parker, Arizona, as it)
 crosses the California-Arizona State)
 Line, thence to Vidal Junction, thence)
 northerly along U.S. Highway 95 through)
 Needles, thence along U.S. Highway 95)
 to the California-Nevada State Line)
 near Searchlight, Nevada,)

ORIGINAL

Application No. 29208

O P I N I O N

Sun Valley Bus Lines, Inc., an Arizona corporation, seeks authority to operate a passenger stage service between the California Nevada State Line, approximately 28 miles northerly of Needles, and Earp, California, situated on the Colorado river, near Parker, Arizona, approximately 65 miles southerly and easterly of Needles.

As justification for the proposed service, applicant states in part as follows:

"That your applicant is conducting interstate operations as a common motor carrier under Docket No. MC 108378 and MC 108378 Sub. 1, respectively, having acquired said rights by virtue of an assignment made by Lee Speirs, doing business as Las Vegas-Needles-Phoenix Stage Line, as transferor, and your applicant as transferee, and is now operating under MC-FC 25284, as reflected by records of the Interstate Commerce Commission, Division 5, Washington, D. C.. That your applicant has directed its agents not to carry intrastate passengers in California, but occasionally such passengers present themselves and demand intrastate service. That there is a definite need at the present time for intrastate service. That your applicant should not operate through this territory in California with closed doors. That for the convenience of the public, applicant should be able to operate with open doors intrastate over this route."

Applicant's interstate route is between Phoenix, Arizona, and Las Vegas, Nevada, via Wickenburg, Hope, and Parker, in Arizona; Earp, Rice-Vidal Junction, Needles, Arrowhead Junction, in California and Searchlight and Railroad Pass, in Nevada. The California portion of this route is approximately 93 miles. Two trips daily in each direction are now scheduled.

Proposed one-way intrastate fares are:

:Approx.:	between:	Rice-Vidal:	:Arrowhead:	Cal.-Nev.:		
:Mileage:	and	:Earp:	Junction:	State Line:		
0	Earp	*	.45	1.80	2.55	2.05
16.8	Rice-Vidal Jct.	.45	*	1.40	2.15	2.25
64.8	Needles	1.80	1.40	*	.75	.85
81.1	Arrowhead Jct.	2.55	2.15	.75	*	.65
93.0	Cal.-Nev. Line	2.65	2.25	.85	.65	*

Round-trip fares will be 180% of the one-way fare.

Applicant proposes to use 1947 Model, 37-passenger Aero-coaches in performing this service. It states that no other bus line is now operating a regular daily service along that portion of the proposed route which is in California.

Leo Speirs who has a passenger stage certificate along a portion of the route does not oppose the application. (1)

The matter having been fully considered, we find that the proposed service is in the public interest. The application will be granted. A public hearing is not necessary.

(1) The certificate granted to Leo Speirs (Decision No. 30920, in Application No. 25855) authorizes "the transportation of passengers, baggage and shipments of express weighing not to exceed one hundred pounds (100) each, on passenger-carrying vehicles, between a point on the Nevada-California State Line, approximately thirty miles northerly from Needles, on the one hand, and Blythe, California, on the other hand, and all points intermediate thereto, subject to the following conditions:

- (i) Applicant shall render only an on-call service between Vidal Junction and Blythe for a minimum of fifteen (15) passengers, and only upon request of the Commanding Officer of the camp to and from which such personnel is transported."

Sun Valley Bus Lines, Inc. 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 filed in the above entitled matter, the Commission being fully advised in the premises and finding that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be, and it hereby is, granted to Sun Valley Bus Lines, Inc., an Arizona corporation, authorizing it to establish and operate a service as a passenger stage corporation, as defined in Section 24 of the Public Utilities Act, for the transportation of persons and their baggage, between Earp, California, and the California-Nevada State Line, approximately 28 miles northerly of Needles, California.

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

- 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) Applicant shall, within sixty (60) days from the effective date hereof and upon not less than five (5) days' notice to the Commission and the public, 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, tariffs and time schedules satisfactory to the Commission.

- (c) Subject to the authority of this Commission to change or modify such at any time, Sun Valley Bus Lines, Inc. shall conduct said passenger stage operation over and along the following described route:

Beginning at Earp, California, thence westerly along California State Highway to Rice-Vidal Junction, thence northerly along U.S. Highway No. 95 to the California-Nevada State Line.

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

Dated at San Francisco, California, this 22nd day of June, 1948.

[Signature]
Justice J. Calles
[Signature]
Harold A. Hills
[Signature]
COMMISSIONERS