

Decision No. 42463

ORIGINAL

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 D. A. DUNLAP for a certificate of )  
 public convenience and necessity, )  
 authorizing the transportation of ) Application No. A. 29966  
 passengers between Anderson, on the )  
 one hand, and Redding Municipal )  
 Airport on Millville Plains, on the )  
 other hand. )

In this proceeding D. A. Dunlap seeks a certificate of public convenience and necessity authorizing the transportation of passengers and their baggage between the town of Anderson and the Redding Municipal Airport, located 5.1 miles north east of Anderson. No intermediate point service is proposed.

Five daily round trips would be operated and coordinated with the airplane schedules. The proposed one way fare applicable between North and Center Streets in the town of Anderson and the Redding Municipal Airport is \$1.25 with no reduction for round trips. Hand baggage weighing not to exceed 40 pounds for each passenger would be carried free. The route to be used is over County roads Nos 9D and 9E. The equipment available for the proposed service consists of one 1937 Dodge sedan.

Applicant alleges that the town of Anderson and the adjacent area has experienced a rapid growth of population and industrial activity, which has resulted in a considerable volume of air travel, and that there is no other common carrier rendering a passenger service between the points involved.

It is evident from the record in this matter that public convenience and necessity require the establishment of the service as proposed and the application, therefore, will be granted. A

public hearing is not necessary.

D. A. Dunlap 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, the Commission being fully advised in the premises and 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 D. A. Dunlap 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, between the town of Anderson and the Redding Municipal Airport.
- (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 certificate herein granted within a period 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 Orders Nos. 79 and 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 them by further order, applicant shall conduct operations pursuant to the certificate herein granted over and along County roads Nos. 9D and 9E.

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

Dated at San Francisco, California, this 1st day of February, 1949.

R. T. Dutton  
Justin J. Currier  
Frank H. Luce  
Harold P. Kite  
Benjamin P. Potter  
 Commissioners