

Decision No. 43167

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
B. W. EDWARDS doing business as)
El Tejon Taxi Company for a certificate)
of public convenience and necessity to) Application No. 30432
operate passenger service between)
Kern County Airport and the City of)
Bakersfield.)

O P I N I O N

Applicant, B. W. Edwards, an individual doing business as El Tejon Taxi Company, seeks authority to transport passengers between the City of Bakersfield and Kern County Airport and intermediate points, a distance of somewhat less than five miles.

Ten round-trip schedules are proposed, arranged so as to meet the incoming and outgoing schedules of United Airlines. The service would be provided through the use of a 1947 station wagon and a 1948 sedan. A one-way fare of \$1.00 would be charged.

Applicant's financial statement shows assets of \$9,500, a \$6,000 mortgage on real property and net worth of \$3,500.

As justification for the certificate as herein sought, applicant alleges that no established service is presently being rendered between the leading hotels in Bakersfield and the Kern County Airport; that taxi service can be obtained, but is unsatisfactory because of delay and inconvenience to the traveling public; and that airline passengers would be assured of a reliable scheduled service to and from the airport. Bakersfield Transit Company has waived notice of protest.

After full consideration of the matter, the Commission finds that public convenience and necessity require the establishment and operation of the proposed service and the application will be granted. This is not a matter requiring a public hearing.

B. W. Edwards 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

An application having been filed, the Commission being fully informed, and good cause appearing,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to B. W. Edwards 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 Bakersfield and the Kern County Airport.

(2) That in providing service pursuant to the certificate herein granted, applicant shall comply with 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 Orders Nos. 79, and Part IV of 93-A, by filing, in triplicate, and concurrently making effective appropriate tariffs and time schedules.
- (c) Subject to the authority of this Commission to change or modify it by further order, applicant shall conduct operations over the following route:

Commencing at the Kern County Airport, thence along Douglas Street to North Chester Avenue, thence along North Chester Avenue into the City of Bakersfield.

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

Dated at Los Angeles, California, this 2nd day of August, 1949.

R. B. Anderson
Justus F. Adams
Superintendent
Harold P. Kule
Commissioner
COMMISSIONERS