

ORIGINAL

Decision No. 42606

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
JAMES W. WILLIAMSON and JOHN K. SHULTS,)
copartners, engaged in business under)
the firm name of Squaw Valley Bus)
Service, for certificate of public)
convenience and necessity to operate)
passenger stage service between Truckee,)
California, to the California-Nevada)
State Line at its intersection with)
California State Highway No. 28, and)
as incidental to said service to)
transport hand baggage of passengers)
and skis.)

Application No. 30815

O P I N I O N

James W. Williamson and John K. Shults, copartners, doing business as Squaw Valley Bus Service, have applied for a certificate to operate during a portion only of each year a passenger-stage service between Truckee and the California-Nevada State line east of Brockway and intermediate points, and incidental to the carriage of such passengers to transport skis and hand baggage of such passengers.

Applicants propose to operate only during those portions of each year when Pacific Greyhound Lines is not in operation between Truckee and Tahoe City and propose to render no service to any points between Truckee and the intersection of U. S. Highway No. 40 with California State Highway No. 89.

Applicants propose to operate each day one complete round trip between Truckee and the California-Nevada State line and supplemental service between Tahoe City and Truckee in the morning and evening.

As justification for the proposed service, applicants allege that Pacific Greyhound Lines does not operate between Truckee and Tahoe City during the winter months and that such a service is needed by local residents and businessmen as well as winter sport participants and in addition applicants allege they have secured from Squaw Valley Development Company, a corporation, an exclusive contract for five years to transport all guests to and from the Squaw Valley Lodge.

The application discloses that James W. Williamson and John K. Shults own two twin coach 42-passenger vehicles and are financially able to inaugurate the service.

Pacific Greyhound Lines has signified in writing that it does not desire to protest the granting of the application. Under the circumstances a public hearing does not appear to be necessary.

Upon the facts appearing in the verified application we find that public convenience and necessity require that James W. Williamson and John K. Shults be authorized to establish and operate a passenger stage service between Truckee and the California-Nevada State line east of Brockway and intermediate points.

James W. Williamson and John K. Shults 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

Application as above entitled having been filed and the Commission having found that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be and it is hereby granted to James W. Williamson and John K. Shults, 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 Truckee and the California-Nevada State line east of Brockway and intermediate points, excluding therefrom service between Truckee and the intersection of U. S. Highway No. 40 with California State Highway No. 89, during the period commencing approximately November 15 of each year and ending on May 15 of the following year.

(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 thirty (30) days from the effective date hereof.
- b. Within sixty (60) days from the effective date hereof and on not less than five (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 them by further order, applicants shall conduct operations pursuant to the certificate herein granted over and along the following routes:

Beginning at Truckee, thence to the intersection of U. S. Highway No. 40 and State Highway No. 89 thence along State Highway No. 89 to an unnumbered county highway leading to Squaw Valley, thence back to California State Highway No. 89 and along said Highway No. 89 to Tahoe City, thence along California State Highway No. 28 through Carnelian Bay, Tahoe Vista and Brockway to the California-Nevada State line.

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

Dated at San Francisco, California, this 13th day of December, 1949.

R. F. Johnson
Justice J. Craven
Shapell Lowell
Harold K. Hill
Fremont L. Pitts
COMMISSIONERS