

**ORIGINAL**

Decision No. 45665

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
THERON W. DRANEY for a certificate of )  
public convenience and necessity to )  
operate a bus service during May )  
through September of each year between )  
Reno, Washoe County, Nevada, and )  
North State Line, Lake Tahoe, Washoe )  
County, Nevada. )

Application No. 32176

O P I N I O N

Applicant, Theron W. Draney, doing business as Tahoe Stages requests authority to operate a passenger stage service for the transportation of passengers and their baggage between Tahoe City and the California-Nevada State Line near Calneva.

According to applicant the proposed service would be conducted during the summer months only, between the approximate dates of June 1 and September 30 of each year. Applicant acquired a similar certificated right from the Public Service Commission of Nevada in 1950, to operate between the California-Nevada State Line and Reno, Nevada. Simultaneously with the filing of the above-entitled application, applicant filed an application with the Interstate Commerce Commission requesting authority to operate between Tahoe City and Reno, Nevada.

The proposed fares would be 85 cents between Tahoe City and the California-Nevada State Line, and 50 cents between certain intermediate points.

Applicant appears to have the necessary equipment and financial means to conduct the proposed operations.

No other carrier is presently serving between the points

here involved, with the exception of the Pacific Greyhound Lines. Pacific Greyhound Lines has informed the Commission by letter that it has no objection to the granting of the authority sought.

After full consideration of the evidence of record it is the opinion of the Commission that public convenience and necessity require the proposed service and the application will be granted. A public hearing is not necessary.

Applicant, Theron W. Draney, doing business as Tahoe Stages, 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 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 Theron W. Draney authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 2-1/4 of the Public Utilities

Act, for the transportation of passengers, and their baggage on passenger-carrying vehicles only between Tahoe City and the California-Nevada State Line near Calneva and intermediate points between the approximate dates of June 1 and September 30 of each year.

(2) That in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following regulations:

- a. Applicant shall file a written acceptance of the certificate herein granted within 30 days after the effective date hereof.
- b. Applicant shall comply with the provisions of General Order No. 79 and Part 19 of General Order No. 98, by filing in triplicate and concurrently making effective appropriate tariffs and time schedules within 60 days after the effective date hereof and on not less than 10 days' notice to the Commission and the public.
- c. Subject to the authority of the Commission to change or modify it at any time by further order, applicant shall conduct the service herein authorized over and along the following route:

"Commencing at Tahoe City thence along State Highway 39 via Lake Forest, Carnelian Bay, Tahoe Vista, Kings Beach to the California-Nevada State Line."

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

Dated at Los Angeles, California, this 8<sup>th</sup> day of May, 1951.

R. J. [Signature]  
Justus F. [Signature]  
Harold [Signature]  
[Signature]  
[Signature]  
 COMMISSIONERS