

ORIGINAL

Decision No. 48426

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
EDWARD V. SHELLOOE, for certificate of)	
public convenience and necessity to)	Application No. 34130
operate property, baggage and express)	
service between Colusa and Williams.)	

O P I N I O N

This application filed March 3, 1953, requests authority to establish and operate a passenger stage service for the transportation of passengers, baggage and express between Williams and Colusa, California, over State Highway No. 20 a distance of approximately ten miles. As justification for the relief sought it is alleged that there is no such service to or from the city of Colusa which is situated on the Sacramento River between U. S. Highways 99W, and 99E. It is further stated that since various bus lines and the Southern Pacific Railroad run through Williams, California, it is necessary for the people and merchants to have a public transportation service for passengers and express between the two points.

A round trip leaving Colusa at 7:45 A. M. and another at 9:30 P. M. is proposed at fares of \$1.00 one way and \$1.80 round trip. Express rates proposed are 75¢ as a minimum and \$1.00 as a maximum for 100 pounds. Applicant who operates a taxicab service in Colusa has adequate equipment and financial ability. He also has a contract with the U. S. Government for transporting the mail between Williams and Colusa. He has indicated to a member of the Commission staff that if granted the authority sought he will acquire a seven-passenger limousine to better perform the service.

The application is supported by the City Council of Colusa as evidenced by a letter from the Mayor. Applicant also has the endorsement of the Colusa Chamber of Commerce and the Colusa Retail

Merchant's Association. The Chamber of Commerce advises the Commission that it has no disagreement with the proposed fares.

The Commission finds that public convenience and necessity require the proposed service. The express rates proposed appear to be less than the minimum rates provided in Highway Carriers' Tariff No. 2. Any tariff filed must contain rates not less than such minimum unless applicant upon a sufficient showing shall procure from this Commission permission to deviate therefrom. A public hearing is unnecessary for the issuance of this certificate.

Edward V. Shellooe 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 therefor having been filed, the Commission being fully advised in the premises and having found that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be, and is, granted to Edward V. Shellooe authorizing the establishment and operation of service as a passenger stage corporation for the transportation of passengers, their baggage and express not exceeding 100 pounds in weight per shipment, to be transported in

passenger vehicles only between Colusa and Williams, California.

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

- (a) Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted.
- (b) Within sixty days after the effective date hereof, and upon not less than five days' notice to the Commission and the public, applicant shall establish the service herein authorized and file in triplicate and concurrently make effective, tariffs and time schedules satisfactory to the Commission.
- (c) Subject to the authority of this Commission to change or modify the operations herein authorized at any time, said Edward V. Shellooe shall conduct said passenger stage operation over and along State Highway No. 20.

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

Dated at San Francisco, California, this 30th day of March, 1953.

P. I. [Signature]
PRESIDENT
Justus J. [Signature]
[Signature]
[Signature]

COMMISSIONERS