

**ORIGINAL**Decision No. 48716

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 G. E. WILLIAMS for a certificate of )  
 public convenience and necessity to )  
 operate a passenger service between ) Application No. 34420  
 Pines Village and Wishon, on Bass )  
 Lake, Madera County, and intermediate )  
 points. )

O P I N I O N

G. E. Williams seeks a certificate of public convenience and necessity to operate a seasonal passenger stage service, from Memorial Day through Labor Day, between Pines Village, on the north shore of Bass Lake, in Madera County, and Wishon on the southeast shore, serving intermediate points along the lake shore. The service is designed to accommodate campers, summer residents and others at the lake who are without private means of transportation, or who desire transportation to and from Pines Village, the principal shopping and amusement center in the resort area.

Applicant proposes to operate one round trip daily, leaving Pines Village at 9 a.m. and returning at 3 p.m., with a layover at Wishon from 10 a.m. to 2 p.m. Additional trips over the same route would be made if needed by vacationists in the area. Applicant plans to operate one 1941 White 47-passenger bus and to charge a fare of 25 cents per person, one-way. His financial statement indicates that he has sufficient resources with which to inaugurate the type of service here proposed.

W. P. Scarbrough, doing business as North Fork Stage Line, who operates a passenger stage and mail route between Fresno and Pines Village daily during the summer season, subject to certain

restrictions, is the only other public transportation agency serving the territory in which applicant proposes to operate. He has advised the Commission that he has no objection to the granting of the requested authority.

We conclude, upon full consideration of the application, that public convenience and necessity require the proposed passenger stage service. The application, accordingly, will be granted.

Applicant, in his letter transmitting the application for filing, states that as the summer season is now on there is an immediate demand for the service. He asks that any order granting a certificate be made effective upon the day it is signed, and that authority also be conferred to file a tariff and timetable on not less than one day's notice to the Commission and the public. Applicant's request, in the circumstances, appears to be reasonable and it will be granted. A public hearing is not necessary.

G. E. Williams, applicant herein, 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 therefor, the Commission having considered the matter and having found that public convenience and necessity so require,

IT IS ORDERED that a certificate of public convenience and necessity be and it hereby is granted to G. E. Williams, authorizing the establishment and operation of service as a "passenger stage corporation," as defined in Section 226, Public Utilities Code of California, for the transportation of passengers and their baggage between Pines Village and Wishon and intermediate points in the vicinity of Bass Lake, Madera County, California, seasonally between the approximate dates of May 15 and September 15 in each year.

IT IS FURTHER ORDERED that in the operation of said passenger stage service G. E. Williams 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 one day's notice to the Commission and the public, applicant shall establish the service herein authorized and file in triplicate, and concurrently make effective, tariffs and timetables satisfactory to the Commission.
- (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 the following routes:

From Pines Village, Bass Lake, via county road in a northwesterly direction to the junction of county roads near Bass Lake Airport; thence in a southerly direction via county road to the vicinity of Wishon and return via the same route.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 16th day of June, 1953.

[Signature]  
President

[Signature]

[Signature]

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Commissioners