

ORIGINAL

Decision No. 49574

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of LEONARD H. GUEST)
and RUSSELL T. SMITH for a cer-)
tificate of public convenience and)
necessity to operate as a passenger)
stage corporation and conduct a bus)
service within and in the immediate)
vicinity of the City of Salinas,)
State of California.)
-----)

Application No. 35027

O P I N I O N

Leonard H. Guest and Russell T. Smith seek a certificate of public convenience and necessity authorizing them to operate as a passenger stage corporation within and in the immediate vicinity of the City of Salinas, County of Monterey.

Applicants allege that the area, authority to serve which is sought herein, was served by Robb's Transportation Company until December 31, 1953, the effective date of Decision No. 49468 in Application No. 34898; that such decision authorized Bruce W. Robb to discontinue passenger stage service within such area and revoked his operative rights therefor; that there is presently no passenger stage service within such area.

Applicants further allege that they propose to render service once each hour and more frequently if possible; that they propose a single 15-cent fare.

The application indicates that Leonard H. Guest has had experience in conducting the operation of a passenger stage corporation and that he and Russell T. Smith possess the requisite financial ability to inaugurate and maintain the proposed service.

Upon consideration of the facts, here involved, the Commission is of the opinion and hereby finds public convenience and necessity require that the application be granted.

Applicants Leonard H. Guest and Russell T. Smith 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

An application having been filed and the Commission being of the opinion that the authority requested should be granted,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is granted to Leonard H. Guest and Russell T. Smith, authorizing the establishment and operation of service as a passenger stage corporation as defined in Section 226 of the Public Utilities Code, within the City of Salinas, and between Salinas, Boronda District and East Salinas (Alisal District) and intermediate points.

(2) That in providing service pursuant to the certificate herein granted, Leonard H. Guest and Russell T. Smith 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, appropriate 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:

Route 1:

Beginning at the corner of Salinas and West Alisal, proceeding East on Alisal to the intersection with Williams Road, East on Williams Road to Garner Avenue, North to Towt, East to Del Monte, North to Sanborn Road, West to Garner, South to Towt, West to East Market, West to Madeira, South to East Alisal, and West to point of beginning.

Route 2:

Beginning at Salinas and West Alisal, thence North to Gabilan, West to Lincoln, North to West Market, North to an unnamed street, East to North Main, North to East Laurel Drive, East to Tapadero, North to Curtis, West to Tyler, South to Laurel Drive, West to Hyland, thence East on Laurel Drive to North Main, South to West Market, West to Lincoln, South to Alisal, East to Salinas, South to Clay, East to Main, South to Romie Lane, West to Valley Center Parking Lot, thence returning East on Romie Lane to Main, and North to point of beginning.

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

Dated at San Francisco, California, this 18th day of January, 1954.

[Signature]
President

[Signature]

[Signature]

[Signature]

Commissioners