

**ORIGINAL**

Decision No. 50576

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 CLAIRE L. PLEAS for certificate of )  
 public convenience and necessity to )  
 operate passenger service between )      Application No. 35674  
 Court and Vine Street, in Tulare )  
 County, and Court and Walnut, in )  
 Tulare County. )

O P I N I O N

Claire L. Pleas, by application filed August 5, 1954, seeks a certificate of public convenience and necessity authorizing her to operate as a passenger stage corporation within and in the immediate vicinity of Visalia in the County of Tulare, California.

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JAC.

Applicant alleges that as sole owner and distributee of her late husband she operates the Yellow Cab Bus Line serving the City of ~~Tulare~~ <sup>Visalia</sup> under a permit issued by said city. She further states that there is a public need for service in suburban areas located in county territory adjacent to said city.

Applicant further alleges that she proposes to render service once each hour, commencing at 6:15 in the morning and ending at 8:15 in the evening daily except Sundays and seven named holidays. A 15-cent fare is proposed for adults and 10 cents for children. Children under five will be carried free.

Applicant presently owns two 24-passenger 1942 Ford transit buses. One of these buses will be used daily and the other will be maintained as a standby or emergency facility. Applicant's financial statement indicates a net worth sufficient to assure that she can adequately inaugurate and maintain the proposed service. Her operation under the city permit indicates sufficient experience

to justify granting the application. There is no competitive passenger stage service. Orange Belt Stages, primarily an inter-city carrier, has advised the Commission that it does not oppose this application.

The Commission finds that public convenience and necessity require the proposed passenger stage service. A public hearing is unnecessary.

Applicant Claire L. Pleas 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 finding that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be, and it hereby is, granted to Claire L. Pleas 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 Visalia and between Visalia and the intersections of Vine and Court Streets in county territory north of said city

and between said city and the intersection of Court Street and Walnut Avenue in county territory south of said city, serving intermediate points.

(2) That in providing service pursuant to the certificate herein granted, applicant 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 the Commission to change or modify it by further order, applicant shall conduct operations over and along the following route:

Beginning at the intersection of Vine Street and Court Street, thence along Vine Street, Williams Street, Sweet Street, Levis Street, Houston Avenue, N.E. Third Avenue, Granite Street, N.E. First Street, Church Street, Acequia Street, Locust Street, a public way between Acequia Street and Willow Street, thence along Court Street, Walnut Avenue, Garden Street, Tulare Avenue, Burke Street, King Avenue, Oakhurst Street, Acequia Street, Court Street, N.W. First Avenue, N. West Street, Houston Avenue, Turner Street, Harold Street, N. Willis Street, Sweet Street, Mitchell Street, and Vine Street to Court Street.

Applicant is authorized to turn her motor vehicles at termini and intermediate points, in either direction, at intersections of streets or by operating around a

block contiguous to such intersection or in accordance with local traffic rules.

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

Dated at SAN FRANCISCO, California, this 21st day of September, 1954.

John E. Mitchell  
President

Justus J. Caswell

Bennett Dotted

Deane Higgins

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Commissioners