

Decision No. 51940**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Frank F. Parisi,)
 Fred J. Parisi and J. Vincent)
 Parisi, copartners, to operate)
 vessels for the transportation)
 of passengers between Sacramento,)
 Freeport and points and landings)
 on Steamboat Slough.)

Application No. 37174

Leslie N. Bradshaw, for applicants.O P I N I O N

Applicants are three brothers who operate a restaurant in Sacramento; and another on Grand Island on Steamboat Slough which is known as Parisi's River Mansion. By application filed July 29, 1955, authority is sought pursuant to the provisions of Section 1007 of the Public Utilities Code to operate vessels for the transportation of passengers, for compensation, between points and landings on the Sacramento River and Steamboat Slough, to-wit: between Sacramento and Freeport on the one hand and points and landings on Steamboat Slough on the other hand, and including the operation of sight-seeing trips on said inland waters and their tributaries and sight-seeing operations between Sacramento and a point approximately 12 miles north thereof. By amendment permitted at the hearing the proposal is for an on-call basis upon 24 hours' notice and the purchase of at least 50 tickets, weather and navigation conditions permitting.

Public hearing was held in Sacramento before Examiner Rowe on August 18, 1955, at which time evidence, both oral and documentary, was adduced and the matter duly submitted. Notice of the application and hearing was published as required by the Commission. No one appeared in protest.

Five public witnesses testified that there is a public need for the proposed service. Many people are desirous of going to Parisi's River Mansion on Steamboat Slough but are prevented due to the bad condition of the last four miles of road leading thereto. Others, including tourists, are desirous of seeing the interesting and beautiful sights along the Sacramento River and along Steamboat Slough.

Applicants have adequate financial ability to acquire and operate a diesel powered vessel of appropriate size and design. This vessel will be acquired at a cost of between \$30,000 and \$50,000, by the start of next season or April 15, 1956. Applicants will comply with all Coast Guard rules and regulations and will employ only properly licensed personnel.

The fares proposed to be charged are set forth in the application, and generally are as follows:

One-way fare between Sacramento and Steamboat Slough	\$1.75
One-way fare between Freeport and Steamboat Slough	1.50
Round trip fares between Sacramento and Steamboat Slough	3.00
Round trip fares between Freeport and Steamboat Slough	2.50
For sight-seeing trips of 12 miles in each direction	2.50

On the sight-seeing trips children not over 12-years of age will be transported for one-half fare when accompanied by an adult.

Applicants 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 as to the number of rights which may be given.

O R D E R

Application as above entitled having been filed, public hearing having been held thereon, the Commission being fully advised in the premises, and hereby finding that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity, as provided in Section 1007 of the Public Utilities Code, be, and it is hereby granted to Frank F. Parisi, Fred J. Parisi and J. Vincent Parisi, copartners, authorizing the establishment and operation of service as a common carrier by vessel for the transportation of persons between Sacramento and Freeport on the one hand, and on the other hand points and landings on Steamboat Slough; and between Sacramento on the one hand, and on the other hand, a point on the Sacramento River approximately 12 miles north of Sacramento.

(2) The foregoing certificate is granted subject to the following conditions and service regulations:

- (a) That the common carrier service herein authorized shall be performed on an on-call basis for a minimum of 50 passenger tickets sold and upon 24 hours' notice of anticipated transportation requirement.
- (b) That applicants shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty days after the effective date hereof.
- (c) That on or before April 15, 1956, and upon not less than five days' notice to the

Commission and the public, applicants shall establish the service herein authorized and file in triplicate and concurrently make effective tariffs and time schedules satisfactory to the Commission.

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

Dated at San Francisco, California, this 6th day of September, 1955.

John E. Westfall
President

Justin J. Cooney

R. H. Hertz

Commissioners

Ray E. Untereiner
Commissioner Matthew J. Dooley, being necessarily absent, did not participate in the disposition of this proceeding.