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Decision No. 55215

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
FRANK N. BRAZILLE, for certificate)
of public convenience and necessity)
to operate AIRPORT BUS SERVICE be-)
tween Yreka, California and Siskiyou)
Airport via Montague.)

Application No. 39056

O P I N I O N

In this application Frank N. Brazille is requesting a certificate of public convenience and necessity to operate an automotive service under the name of Airport Bus Service for the transportation of passengers, baggage, air express and air mail between Yreka and Siskiyou County Airport, a distance of eleven miles, serving intermediate points.

The application alleges there is a need for public transportation to serve passengers arriving at and leaving the airport. Southwest Airways operates passenger service between various cities and towns in California and Oregon and one of the points served is Yreka.

The General Traffic Manager of Southwest Airways has stated to this Commission in the past that it is essential that ground transportation be provided between the airport and the City of Yreka, and that public convenience and necessity will be served by such transportation timed to meet its planes. The applicant states that there is presently no service being rendered between these points. It is also stated that there are no passenger stages, truck lines, steam railroads, or electric railways now operating between any of the points proposed to be served which the proposed operation might affect.

Applicant has available a five-passenger 1950 Champion Studebaker four-door sedan and a 1956 Commander Studebaker four-door sedan for his operation and proposes to synchronize his trips with the arrival and departure of planes at the field. A one-way passenger fare of \$2 between Yreka and the Airport is proposed along with an air express rate of fifty cents one way for the first piece of express and twenty-five cents for each additional piece.

The Commission finds that public convenience and necessity require that applicant be granted a certificate authorizing him to conduct the proposed service. A public hearing is not necessary.

Frank N. Brazille is hereby placed on 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 as above entitled and the Commission being fully advised,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Frank N. Brazille authorizing him to operate as a passenger stage corporation as defined in Section 226 of the

Public Utilities Code for the transportation of persons, their baggage and express shipments weighing not in excess of 100 pounds each, such shipments to be transported by passenger vehicles only, between Yreka and Siskiyou County Airport and intermediate points.

(2) That applicant shall conduct operations pursuant to the certificate herein granted over and along the specified route described in Appendix A which is attached hereto and, by this reference, made a part of this order subject to the provisions and conditions contained herein.

(3) That in providing service pursuant to the certificate 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. By accepting the certificate of public convenience and necessity herein granted, applicant is placed on notice that he will be required, among other things, to file annual reports of his operations and to comply with and observe the safety rules and other regulations of the Commission's General Order No. 98. Failure to file such reports, in such form and at such time as the Commission may direct, or to comply with and observe the provisions of General Order No. 98, may result in a cancellation of the operating authority granted by this decision.

- (b) Within sixty days after the effective date hereof and on 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.

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

Dated at San Francisco, California, this 9th day
of July, 1957.

President
Paul J. Winter

W. H. ...

R. ...

E. L. Fox
Commissioners

A.

Appendix A

AIRPORT BUS SERVICE

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Route 1 - Airport

Beginning at Yreka thence via State
Highway No. 82 to Montague thence via
Siskiyou County Airport Road to the
Siskiyou County Airport, and returning
via the same route.

Issued by California Public Utilities Commission.

Decision No. 55245, Application No. 39056.