

Decision No. 55605**ORIGINAL**

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Horace Simmons, dba )  
 VACA VALLEY BUS LINES, sometimes )  
 referred to as VACA VALLEY LINES, )  
 for a certificate as a passenger )  
 stage corporation to operate between ) Application No. 39238  
 Travis Air Force Base and Parks Air )  
 Force Base, for usage by military )  
 personnel and such persons as may be )  
 traveling on military orders only. )

O P I N I O N

This application was filed July 16, 1957. Authority is sought to operate a service between Parks and Travis Air Force Bases. This service would be direct, without intermediate stops.

A portion of the proposed route parallels a service operated by Pacific Greyhound Lines. That company, however, expressed no desire to protest, provided no authority was requested to serve to and between intermediate points.

Applicant has been operating a shuttle run between Travis Base and the nearby cities of Suisun and Fairfield. His experience, ability, equipment and finances appear to be adequate. The Commission therefore finds and concludes that public convenience and necessity require that his request be granted and that a public hearing is not necessary.

Applicant 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, such rights 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

An application having been filed, the Commission being fully informed therein and having found that a public hearing is not necessary and that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Horace Simmons, doing business as Vaca Valley Bus Lines, authorizing the establishment and operation of service as a passenger stage corporation, as that term is defined in Section 226 of the Public Utilities Code, for the transportation of passengers and their baggage between the points as now particularly set forth in Appendix A attached hereto and made a part hereof.

NOTE 1. The authority herein granted shall not be consolidated with and is not an extension of the existing operating rights of applicant. No service shall be rendered to, from or between intermediate points.

NOTE 2. Applicant shall file, with the Commission, a description of the route to be traversed under this certificate. Such route shall not be changed except upon five days' written notice to the Commission.

(2) Nothing in this order shall be construed to revoke any existing operating right of the applicant.

(3) That, in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following 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 carry the insurance as required by General Order No. 101, or to file reports required by General Order No. 98 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 and General Order No. 101 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 satisfactory to the Commission.

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

Dated at Los Angeles, California, this 24<sup>th</sup> day of SEPTEMBER, 1957.

*John E. Mitchell*  
President

*Raulo J. Lintinen*

*Walter D. ...*

*W. Hardy*

*E. J. Fox*  
Commissioners

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Appendix A

Horace Simmons

First Revised Page 1  
Cancels  
Original Page 1

Horace Simmons, doing business as Vaca Valley Bus Lines, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage between:

Travis Air Force Base on the one hand and  
Parks Air Force Base on the other hand.

No service shall be rendered to, from or between intermediate points.

Service shall be rendered over the quickest and most convenient route available. Applicant shall file with the Commission a description of the route traversed under this certificate. Such route shall be changed only upon five days' written notice to the Commission.

Issued by the California Public Utilities Commission  
Decision No. 55605, Application No. 39238.