

Decision No. 56897**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 DEANE M. HOOPES for a Certificate)
 of Public Convenience and Necessity)
 to Operate as a Passenger Stage)
 Corporation between Points on the)
 South Shore of Lake Tahoe.)

Application No. 40059

O P I N I O N

Deane M. Hoopes requests authority to operate a passenger stage service during the summer months between Camp Richardson and State Line, California, a distance of approximately eight miles.

Applicant proposes to provide service to intermediate points on and along State Highway 89 and U. S. Highway 50. As of March 1, 1958, applicant indicated a net worth of \$16,450. If the authority sought is granted applicant proposes to purchase a new bus of 9 to 14 passenger capacity. He intends to operate four round trip schedules daily and to charge the following fares:

1. Between Camp Richardson and The Wye (Tahoe Valley) and intermediate points - 25 cents.
2. Between State Line and The Wye and intermediate points - 25 cents.
3. Between all points west of The Wye, on the one hand, and all points east of The Wye, on the other hand - 50 cents.

Applicant alleges that during the summer season the area is populated at times with as many as 50,000 people and that he has received many requests for the service, including a request from the South Shore Chamber of Commerce.

Western Greyhound Lines has informed the Commission by letter that it has no protest to the application.

After consideration, the Commission is of the opinion and so finds that public convenience and necessity require the granting of the authority sought. 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 modified or canceled 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 having been filed and the Commission being informed in the premises,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Deane M. Hoopes authorizing the transportation of passengers as a passenger stage corporation between the points and over the routes set forth in Appendix A attached hereto.

(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. 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 to the public, applicant shall establish the service herein authorized and file in triplicate, and concurrently make effective, tariffs and timetables satisfactory to the Commission.

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

Dated at San Francisco, California, this 24th day of June, 1958.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]
Commissioners

By the certificate of public convenience and necessity granted in the decision noted in the margin, Deane M. Hoopes is authorized to transport passengers between Camp Richardson and State Line, serving all intermediate points on and along the following routes:

- (a) California Highway 89 between Camp Richardson and The Wye, situated at the junction of said California Highway 89 and U. S. Highway 50.
- (b) U. S. Highway 50 between a point 2 miles south of The Wye and State Line.

Service shall be provided each year from June 15 to September 15, inclusive.

Issued by California Public Utilities Commission.

Decision No. 56897, Application No. 40059.