

ORIGINAL

Decision No. 58060

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of J. NED RICHARDSON, ROBERT L. RICHARDSON and ALICE A. RICHARDSON, deceased, by J. NED RICHARDSON and CROCKER-ANGLO NATIONAL BANK, co-executors, dba RICHARDSON SPRINGS STAGE, for authority to transfer interest of ALICE A. RICHARDSON, ROBERT L. RICHARDSON, EMMA SPANN and RACHEL HOLSTROM, and for the MESDAMES SPANN and HOLSTROM to assign their interest in said public utility to RICHARDSON CATTLE AND LAND DEVELOPMENT COMPANY and for the copartnership of J. NED RICHARDSON, ROBERT L. RICHARDSON and RICHARDSON CATTLE AND LAND DEVELOPMENT COMPANY to do business as RICHARDSON SPRINGS STAGE.

Application
No. 40794

OPINION AND ORDER

WHEREAS, J. Ned Richardson, Robert L. Richardson and Alice A. Richardson, copartners doing business as Richardson Springs Stage, formerly operated a line for the transportation of passengers and express between Richardson Springs and Chico, with Chico Municipal Airport (formerly Chico Army Air Field) as an intermediate point, under and pursuant to authorization granted by the Commission by Decision No. 39067, dated June 11, 1946, in Application No. 27540; and

WHEREAS, Alice A. Richardson, one of the above-named copartners, died on July 12, 1957; and

WHEREAS, the Superior Court of the State of California, in and for the County of Butte, on December 29, 1958, made and entered its final Decree of Distribution in the Estate of Alice A. Richardson,

deceased, whereby said decedent's interests in Richardson Springs Stage, and other companies, were distributed to Richardson Cattle and Land Development Company, a corporation; and

WHEREAS, J. Ned Richardson and Robert L. Richardson, as surviving partners, and Richardson Cattle and Land Development Company, a corporation, as distributee under the Decree of Distribution in the Estate of Alice A. Richardson, the deceased partner, propose to engage as a partnership in the business of operating the aforesaid passenger stage line and seek an order of the Commission authorizing them to do so; and

WHEREAS, the Commission is of the opinion that the proposed transaction will not be adverse to the public interest, that a public hearing is not necessary in this proceeding and that the application should be granted;

NOW THEREFORE,

IT IS HEREBY ORDERED as follows:

1. The transfer of the passenger stage line known as Richardson Springs Stage, and referred to herein, to J. Ned Richardson, Robert L. Richardson and Richardson Cattle and Land Development Company, a corporation, as copartners, is hereby authorized.
2. J. Ned Richardson, Robert L. Richardson and Richardson Cattle and Land Development Company, a corporation, be, and they hereby are, authorized to operate the passenger stage line referred to herein under the name of Richardson Springs Stage.

3. On not less than five days' notice to the Commission and to the public, effective concurrently with the consummation of such transfer, applicants shall supplement or reissue the tariffs and timetables on file with the Commission naming rates, rules, regulations and schedules governing the common carrier operations here involved to show that J. Ned Richardson, Robert L. Richardson and Alice A. Richardson have withdrawn or canceled and that J. Ned Richardson, Robert L. Richardson and Richardson Cattle and Land Development Company, a corporation, have adopted or established, as their own, said rates, rules, regulations and schedules.

4. The action taken herein shall not be construed to be a finding of the value of the operative rights and equipment herein authorized to be transferred. Applicants are 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 as to the number of rights which may be given.

5. The authority herein granted will become effective twenty days after the date hereof. This authority, if not exercised, will expire on December 31, 1959.

Dated at San Francisco, California, this 2nd day of March, 1959.

L. Lynn Fox
President

Theodore H. Hume
Everett W. Long
Commissioners