

ORIGINAL

Decision No. 55328

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 CLIFFORD B. BURGE, for certificate )  
 of public convenience to operate )  
 passenger service between Chico )  
 Airport and City of Chico. )

Application No. 40849

O P I N I O N

Clifford B. Burge requests authority to operate a passenger stage service between the City of Chico and the Chico Airport.

Service would be on an "on-call" basis at the rate of \$1.70 per passenger and would be provided through the use of one 1957 Volkswagen Microbus.

Applicant is presently operating a taxi service within the vicinity and appears to have the necessary financial ability to conduct the proposed service. The Richardson Springs Stage Lines, which operates within the proposed area, has informed the Commission by letter that said carrier would have no protest to the application provided applicant is restricted to the transportation of airline passengers.

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 Clifford B. Burge authorizing the transportation of airline passengers and their baggage 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 twenty days after the date hereof.

Dated at Los Angeles, California, this 28<sup>th</sup> day of April, 1959.

E. Lyn Fox  
President  
W. C. Baulin  
Walter Baulin  
Theodore Baulin  
Commissioners

Applicant, by the authority granted in the decision noted in the margin, is authorized to transport airline passengers and their baggage as a passenger stage corporation between the City of Chico and the Chico Airport over the following route:

Commencing at the Oaks Hotel located at 2nd Street and Salem Street in the City of Chico, thence along Salem Street, 1st Street, U.S. Highway 99E, Lassen Avenue, Cohasset Road to the Chico Airport.

Service is to be rendered on an "on-call" basis daily including Sundays and Holidays for one or more passengers.

Issued by California Public Utilities Commission.

Decision No. 58328, Application No. 40849.