

ORIGINAL

Decision No. 58788

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
EVELYN M. KNAPP and JOHN P. DEMETER,
copartners doing business as PENINSULA
TRANSIT LINES, for certificate of
public convenience and necessity to
operate passenger stage service for
transportation of bona fide pupils
attending institutions of learning
between their homes and such institu-
tions.

Application No. 41120

Re: Extension of service to
pupils attending institu-
tions of learning.

O P I N I O N

The applicants filed this application on May 8, 1959. They seek authority to transport bona fide pupils between their homes and institutions of learning. The area sought lies in San Mateo and Santa Clara Counties between Burlingame and Burlingame Hills on the north and Sunnyvale, Mountain View and Los Altos on the south.

The Commission advised principal carriers in the area of the application. These, The Greyhound Corporation, Western Greyhound Lines Division, and San Mateo-Burlingame Transit, have indicated that they have no objection to the granting of the application.

Applicants allege that they have received requests for this service from bona fide students desiring transportation between their homes and institutions of learning. Applicants propose to use their present equipment.

The Commission finds that public convenience and necessity require that the sought authority be granted and that a public hearing is not necessary.

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, 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 having considered the allegations therein,

IT IS ORDERED that:

(1) A certificate of public convenience and necessity as a passenger stage corporation is hereby granted to Evelyn M. Knapp and John P. Demeter, copartners, doing business as Peninsula Transit Lines, for the transportation of persons as set forth in Appendix A hereto attached.

(2) In providing service pursuant to the certificate herein granted applicants shall comply with and observe the following service regulations:

- (a) Within thirty days after the effective date hereof, applicants shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, applicants are placed on notice that they will be required, among

other things, to file annual reports of their 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 ten days' notice to the Commission and to the public, applicants 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 San Francisco, California, this 21st day of July, 1959.

Ernest R. Page
President

John E. Fitzhugh

William J. ...

Theodore J. ...

Commissioners

ds

Appendix A

EVELYN M. KNAPP and JOHN P. DEMETER Original Page 8
dba
PENINSULA TRANSIT LINES

Evelyn M. Knapp and John P. Demeter, by the certificate of public convenience and necessity granted in the decision noted in the margin, are authorized to transport bona fide pupils attending an institution of learning between their homes and such institution between all such points and places within an area bounded on the east by San Francisco Bay; on the north by Broadway (between San Francisco Bay and El Camino Real), Adeline Drive and Hillside Drive (between El Camino Real and Skyline Boulevard); on the west by Skyline Boulevard; and on the south by Grant Road, Alviso Road and Barragas Avenue.

Issued by California Public Utilities Commission.

Decision No. 58788, Application No. 41120.