

ORIGINALDecision No. ~~60434~~

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
C. HARRISON RUSSELL doing business as
DESERT STAGE LINES for a certificate
of public convenience and necessity
for a passenger stage service between
Desert Hot Springs and the City of
Palm Springs.

Application No. 42297

O P I N I O N

By the application herein, filed on May 25, 1960, applicant C. Harrison Russell seeks authority to render service as a passenger stage corporation for the transportation of passengers between Desert Hot Springs, an unincorporated community, and the City of Palm Springs in Riverside County, California. The one-way distance is 11.5 miles.

The proposed route is as follows:

Beginning at the intersection of Pierson Boulevard and Palm Drive (Desert Hot Springs), thence along Palm Drive, Dillon Road, and Indian Avenue to its intersection with Amado Road (Palm Springs).

Proposed restriction: No passengers may be transported between the intersection of Indian Avenue and Corozon Avenue, and the intersection of Indian Avenue and Amado Road, both points inclusive.

Applicant proposes to operate two round trips per day. One trip will leave Desert Hot Springs at 8 a.m. and arrive in Palm Springs at 8:23 a.m., and leave Palm Springs at 9:10 a.m. and arrive at Desert Hot Springs at 9:33 a.m. The second schedule will leave Desert Hot Springs at 3:15 p.m., arrive in Palm Springs at

3:38 p.m., and depart from Palm Springs at 4:40 p.m., and arrive in Desert Hot Springs at 5:03 p.m. The proposed schedules are subject to modification to meet the convenience of passengers.

The fare will be \$1.00, plus Federal tax, one way per passenger regardless of age unless under five years of age and accompanied by a responsible adult.

Applicant will use a 1959 model 8-passenger Volkswagen bus and has a 5-passenger taxicab as a reserve vehicle.

Applicant presently operates a taxicab service in the vicinity of Palm Springs and Desert Hot Springs. He alleges that he has received numerous requests that he render a service as proposed, with regular schedules.

Applicant alleges that the proposed service would not be competitive with any other service.

At the time the application was filed applicant sent copies to the Riverside County Board of Supervisors, the Division of Highways of the State of California, the City Council of the City of Palm Springs, The Western Greyhound Lines, 29 Palms Stage Line, and Tanner Motor Tours, Ltd. None of these has filed a protest with this Commission.

Upon the allegations of the verified application it appears and we find that public convenience and necessity require the establishment and operation of a passenger stage line as proposed, subject to the conditions and restrictions contained in the appendix attached hereto.

C. Harrison Russell 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.

A public hearing is not necessary in this matter.

O R D E R

The Commission being fully advised in the premises and having found that public convenience and necessity so require,

IT IS ORDERED:

1. That a certificate of public convenience and necessity is granted to C. Harrison Russell authorizing him to establish and operate a service as a "passenger stage corporation" as that term is defined in Section 226 of the Public Utilities Code, for the transportation of passengers between the points and over the route more particularly set forth in Appendix A attached hereto and made a part hereof, subject to the conditions and restrictions therein contained.

2. That in providing service pursuant to the certificate herein granted, there shall be compliance with 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 it will be required, among other things, to file annual reports of its operations and to comply with and observe the safety rules and other regulations of the Commission's General Order No. 98 and insurance requirements of the Commission's General Order No. 101. 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 Orders Nos. 98 and 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 ten days' notice to the Commission and 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 San Francisco, California, this 26th day of July, 1960.

President
[Signature]

[Signature]

[Signature]

 Theodore J. Deussen
 Commissioners

Appendix A

C. HARRISON RUSSELL
doing business as
DESERT STAGE LINES

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CERTIFICATE

of

PUBLIC CONVENIENCE AND NECESSITY

Showing passenger stage operative rights, restrictions,
limitations, exceptions, and privileges applicable thereto.

All changes and amendments as authorized by
the Public Utilities Commission of the State of California
will be made as revised pages or added original pages.

Issued under authority of Decision No. 60434,
dated July 26, 1960, of the Public Utilities
Commission of the State of California, on Application No. 42297.

Appendix A

C. HARRISON RUSSELL
going business as
DESERT STAGE LINES

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SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS, AND SPECIFICATIONS.

C. Harrison Russell, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers between the community of Desert Hot Springs, on the one hand, and the City of Palm Springs, on the other hand, and certain points intermediate thereto, over and along the route hereinafter described, subject to the following conditions and restrictions:

- (a) Motor vehicles may be turned at termini and intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections in accordance with local traffic regulations.
- (b) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (c) Passengers shall not be transported whose origin and destination are both between the intersection of Indian Avenue and Corozon Avenue, and the intersection of Indian Avenue and Amado Road, both points inclusive.

Issued by California Public Utilities Commission.

Decision No. 60434, Application No. 42297

SECTION 2. ROUTE DESCRIPTIONS

DESERT HOT SPRINGS-PALM SPRINGS ROUTE

Beginning at the intersection of Pierson Boulevard and Palm Drive (Desert Hot Springs), thence along Palm Drive, Dillon Road, and Indian Avenue to its intersection with Amado Road in the City of Palm Springs.

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