

Decision No. 60619**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 EARL F. CADDEL, for certificate of
 public convenience and necessity to
 operate passenger service between
 Calistoga and Mare Island Naval
 Shipyard.

Application No. 42399

O P I N I O N

By application filed June 23, 1960, Earl F. Caddel seeks authority to operate as a passenger stage corporation for the transportation of passengers between Calistoga in Napa County and Vallejo in Solano County including intermediate points, on the one hand, and Mare Island Naval Shipyard in Solano County, on the other hand, for five days per week, Monday through Friday, over a defined route. Applicant now owns two buses which he proposes to use in the operation. He alleges that there is no competing service.

A copy of the application was served upon Greyhound. Copies have also been mailed to the Cities of Vallejo, Napa and Calistoga and to the Counties of Napa and Solano.

The proposed fares to be charged and the rules and regulations to govern them are as follows:

SCHEDULE I

1. FIVE (\$5.00) DOLLARS per week for five (5) round trips, Monday through Friday, from any point between the intersection of Calistoga Road and State Highway 29 and St. Helena to North Gate, Mare Island Naval Ship Yard, and return.

2. FOUR AND 50/100 (\$4.50) DOLLARS per week for five (5) round trips, Monday through Friday, from any point between St. Helena and Rutherford to North Gate, Mare Island Naval Shipyard and return.

3. THREE AND 75/100 (\$3.75) DOLLARS per week for five (5) round trips, Monday through Friday, from any point between Rutherford and Rancho Del Mar to North Gate, Mare Island Naval Ship Yard and return.

SCHEDULE II

1. TWO (\$2.00) DOLLARS per week for five (5) round trips, Monday through Friday, from any point in Rancho Del Mar, McKnight Acres, Rancho Vallejo, or California Meadows, to North Gate, Mare Island Naval Shipyard and return.

There will be a reduction in the weekly round trip fare of one-fifth (1/5) for each day of nonoperation falling on any day from Monday through Friday in accordance with the following rules.

RULES:

No operation on Saturdays or Sundays.

No operation on New Years Day, February 22, May 30, July 4, Labor Day, November 11, Thanksgiving Day, or December 25.

No smoking in bus.

No alcoholic beverage allowed in bus.

No persons under the influence of alcohol allowed on bus.

Applicant proposes one trip leaving Calistoga at 6:15 a.m. and arriving at the north gate at Mare Island at 7:55 a.m. Another southbound trip will leave Rancho Del Mar at 7:00 a.m. and arrive at said north gate at 7:35 a.m. Like trips will move in the opposite direction both starting at 4:50 p.m. and arriving at 6:30 p.m. and 5:40 p.m., respectively. The equipment consists of one 1946 Aero Bus seating thirty-seven passengers and one 1947 Ford Superior Bus seating twenty-eight passengers.

The Transportation Division of the Commission has made a study of this proposal and has recommended the granting of the application without the necessity of a public hearing but with the provisions and a restriction set forth in the following order.

Earl F. Caddel 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 they 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 as above entitled having been filed, a public hearing not appearing to be required, the Commission being fully advised in the premises, and hereby finding that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Earl F. Caddel authorizing the establishment and operation of 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 termini and all points intermediate thereto and over and along the routes as described and specified in Appendix A which is attached hereto and by reference made a part hereof, subject to the provisions, restrictions, limitations and specifications contained therein.

(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.
- b. Within sixty days after the effective date hereof, and on not less than five 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 time schedules satisfactory to the Commission.

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

Dated at San Francisco, California, this 23rd day of August, 1960.

Cecil W. ...
 President
...
...

 Commissioners

Showing certificated points and routes of operations to be served by Earl F. Caddel, together with specifications, exceptions, restrictions, limitations and privileges applicable thereto.

All amendments to this Appendix A will be as revised pages or added original pages.

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Earl F. Caddel, by the certificate of public convenience and necessity granted in the decision appearing in the margin, is authorized to transport passengers between Calistoga in Napa County and Mare Island Naval Shipyard in Solano County and intermediate points over and along the following routes:

Commencing at the intersection of Calistoga Road and Sign Route 29, just north of Calistoga; thence proceeding southerly along State Highway 29 to the intersection of State Highway 29 and State Highway 48 in Solano County; thence westerly to the entrance to Mare Island Naval Shipyard, known as "North Gate"; thence back along the same route hereinabove described to the point of commencement.

Applicant is authorized to deviate from State Highway 29 to serve communities adjacent thereto.

The above rights are subject to the restriction that only passengers destined to or originating from Mare Island may be transported.

Motor vehicles may be turned at termini or intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections, or in accordance with local traffic regulations.

When route descriptions are given in one direction, they apply to operations in either direction, unless otherwise indicated.

End of Appendix A

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