

ORIGINALDecision No. 61500

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
C. B. GREEN, doing business as CHICO-
PARADISE-STIRLING CITY STAGE LINES
AND CHICO TRANSIT LINES, to sell,
and HOWARD W. KELLER to purchase an
automotive passenger and express line
operated between Chico and Stirling
City, California, and intermediate
points.

Application No. 43012

O P I N I O N

C. B. Green, doing business as Chico-Paradise-Stirling City Stage Lines and as Chico Transit Lines, requests authority to sell and transfer, and Edward W. Keller requests authority to purchase and acquire, certain passenger stage operating authorities and property.

The operating authorities to be transferred were acquired by and granted to C. B. Green by Decisions Nos. 49428 and 50819, respectively, which authorize service as a passenger stage corporation within the City of Chico and points immediately adjacent thereto and between Chico, Paradise and Stirling City.

According to the terms of the sales agreement, a copy of which is attached to the application as Exhibit A, the sale includes the operative rights, three buses, miscellaneous supplies, tickets and stationery. The agreed consideration is \$14,000, with a down payment of \$4,500, and the balance payable at the rate of \$200 per month including interest at 6 percent per annum. A value of \$10,000 is placed upon the equipment and the balance of \$4,000 represents the value placed upon operative rights, good will, tickets, stationery and supplies.

As of December 23, 1960, applicant buyer indicated a net worth in the amount of \$11,350. In the year 1959, applicant seller indicated a net profit in the amount of \$5,161.

It is alleged that applicant seller wishes to sell because of poor health and that applicant buyer is familiar with the operations.

After consideration, the Commission finds and concludes that the proposed transfer would not be adverse to the public interest and that the property to be procured or paid for by the indebtedness herein authorized is reasonably required for the purposes specified herein, and that such purposes are not, in whole or in part, reasonably chargeable to operating expenses or to income. A public hearing is not necessary.

Howard W. Keller 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 on or before May 1, 1961, C. B. Green may sell and transfer and Howard W. Keller may purchase and acquire the operative rights acquired by and granted to C. B. Green by Decisions Nos. 49428 and 50319, respectively, as well as the property specified in Exhibit A attached to the application.

2. That, within thirty days after the consummation of the transfer herein authorized, Howard W. Keller shall notify the Commission, in writing, of that fact and within said period shall file with the Commission a true copy of any bill of sale or other instrument of transfer which may be executed to effect said transfer.

3. That on not less than five days' notice to the Commission and to the public, effective concurrently with the consummation of such transfer, applicants shall amend or reissue the tariffs and timetables on file with the Commission, naming rates, rules and regulations governing the operations here involved to show that C. B. Green has withdrawn or canceled, and Howard W. Keller has established as his own, said rates, rules and regulations. The tariff and timetable filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs and timetables set forth in the Commission's General Orders Nos. 79 and 98.

4. That effective concurrently with the effective date of tariff and timetable filings required by paragraph 3 hereof, the certificates of public convenience and necessity acquired by C. B. Green by Decisions Nos. 49428 and 50319 are hereby revoked and canceled, and simultaneously therewith a certificate of public convenience and necessity is hereby granted to Howard W. Keller

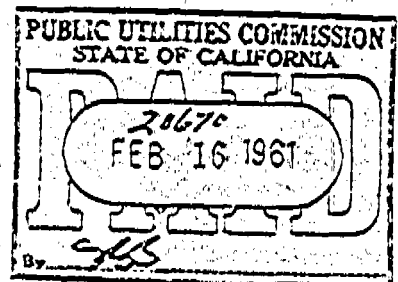
authorizing the operation as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the routes as more particularly set forth in Appendix A, attached hereto and made a part hereof.

5. That Edward W. Keller may incur indebtedness in the amount and according to the terms set forth in Exhibit A attached to the application.

The authority herein granted to incur indebtedness will become effective when applicant has paid the minimum fee prescribed by Section 1904(b) of the Public Utilities Code, which fee is \$25. In other respects the effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 14th day of FEBRUARY, 1961.

Ernest W. Page
President
John H. Hatchell
E. Lynn Fox
George A. Grover
Friedrich B. Holloft
Commissioners



Howard W. Keller, doing business as Chico Transit Lines, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers between points and places within the City of Chico and vicinity over and along the routes as hereinbelow described:

ROUTE #1 - "A" LINE

Commencing at the intersection of Main and Fourth Streets, north on Main Street to Esplanade Avenue, north on Esplanade Avenue to Fourth Avenue, west on Fourth Avenue to Citrus Avenue, south on Citrus Avenue to Second Avenue, west on Second Avenue to Warner Avenue, north on Warner Avenue to Fourth Avenue, east on Fourth Avenue to Esplanade Avenue, north on Esplanade Avenue to Eighth Avenue, east on Eighth Avenue to Palm Avenue, south on Palm Avenue to Seventh Avenue, east on Seventh Avenue to Arbutus Avenue, south on Arbutus Avenue to Third Avenue, west on Third Avenue to Esplanade Avenue, south on Esplanade Avenue to Main Street, and south on Main Street to the point of commencement at Fourth Street.

ROUTE #2 - "B" LINE

Commencing at the intersection of Main and Fourth Streets, south on Main Street to Park Avenue, south on Park Avenue to Eleventh Street, west on Eleventh Street to Chestnut Street, south on Chestnut Street to Sixteenth Street, east on Sixteenth Street to Broadway Street, south on Broadway Street to Twentieth Street, east on Twentieth Street crossing Park Avenue to Mulberry Street, north on Mulberry Street to Fifteenth Street, east on Fifteenth Street to Boucher Avenue, northeast on Boucher Avenue to Virginia Street, east on Virginia Street to Bruce Street, north on Bruce Street to Humboldt Avenue, across Humboldt Avenue to Bartlett Street, north on Bartlett Street to Eighth Street, west on Eighth Street to Main Street, and north on Main Street to the point of commencement at Fourth Street.

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, or in accordance with local traffic rules.

Issued by California Public Utilities Commission.

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Howard W. Keller, doing business as Chico-Paradise-Stirling City Stage Lines, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers, baggage and shipments of express not in excess of 100 lbs. each on passenger-carrying vehicles only, between Chico and Paradise and intermediate points over the route hereinafter set forth:

Over and along U. S. Highway 99-E between Chico and a junction of said highway with an unnamed county road about four miles southerly of Chico, thence over and along said county road a distance of approximately three miles to junction with another unnamed county road, thence over the latter road a distance of approximately ten miles to Paradise, returning to point of beginning over the same route in the reverse thereof.

End of Appendix A.

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