

ORIGINAL

Decision No. 62694

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
VANCE C. FARMER for a certificate of)
public convenience and necessity to)
operate passenger excursion boat)
service between Requa and Johnsons.)

Application No. 43625
(Filed July 24, 1961)

Vance C. Farmer, in propria persona, for
applicant.
Bradley Page for Del Norte County Chamber of
Commerce, interested party.

O P I N I O N

This application was heard before Examiner John K. Power at Requa, California on September 7, 1961, on which date it was submitted. Copies of the application and the notice of hearing were served in accordance with the Commission's procedural rules. There are no protests.

Applicant requests authorization to institute and conduct operations as a common carrier by vessel for the transportation of persons ~~between~~ Requa and Johnsons, following the natural course of the Klamath River, and serving intermediate points. Applicant presently does not possess any authority to transport persons or property for compensation between points on inland waters of California or upon the high seas between points within California.

Applicant proposes fares of \$4.00 per trip for persons over 12 years and \$2.00 per trip for children 12 years and under for the full trip to Johnsons and return. For a shorter trip fares of \$2.00 and \$1.00 are proposed.

Applicant testified that he had received a number of requests for such a service as he proposes from tourists and other sojourners in this area. His boats are licensed by the United States Coast Guard. He owns a boat with bench type seats suitable for sightseeing service. A licensed operator will go on each trip.

A representative of the Del Norte County Chamber of Commerce and a member of the County Board of Supervisors testified in support of the application. They stated that such a service as the one proposed is needed. They believed it would be beneficial to their area and that applicant will prove to be a capable operator.

In view of the lateness of the season the following order will be effective on its date.

Upon consideration of the evidence the Commission finds and concludes as follows:

1. Applicant possesses the experience, equipment, personnel and financial resources to institute and maintain the proposed service.

2. Public convenience and necessity require that the application be granted as set forth in the ensuing order.

Vance C. Farmer 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

Public hearing having been held and based upon the evidence therein adduced:

IT IS ORDERED:

1. That a certificate of public convenience and necessity be, and it hereby is, granted to Vance C. Farmer, authorizing him to operate as a common carrier by vessel, as defined in Sections 211(b) and 238 of the Public Utilities Code, between the points and over the routes more particularly set forth in Appendix A attached hereto and hereby made a part hereof.

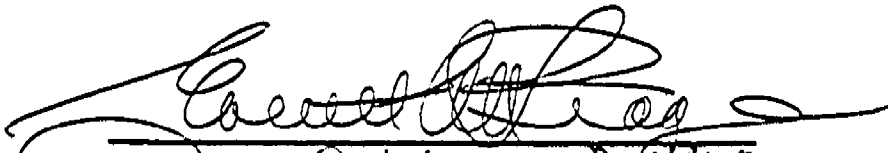

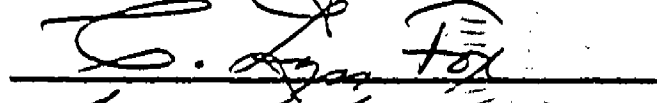

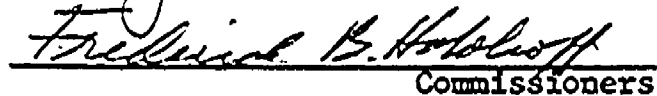
2. That in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

- (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 its operations and to comply with and observe the safety rules promulgated by the Commission and insurance requirements of the Commission's General Order No. 111. Failure to file such reports, in such form and at such time as the Commission may direct, or to comply with and observe such safety rules and the provisions of General Order No. 111 may result in a cancellation of the operating authority granted by this decision.

- (b) Within one hundred twenty 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 satisfactory to the Commission.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 17th day of October, 1961.


President




Commissioners

Vance C. Farmer, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport persons between Panther Creek Lodge in Requa and Johnsons and all intermediate points upon and along the natural course of the Klamath River.

Issued by California Public Utilities Commission.

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