

Decision No. 62728**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 JESS HERRING and GEORGE A. DICKEY, )  
 doing business as Eureka Jitney )  
 Company, for a Certificate of Public )  
 Convenience and Necessity to operate )  
 Passenger Stage Service within certain )  
 portions of Humboldt County. )

Application No. 43754

O P I N I O N

Jess Herring and George A. Dickey, doing business as Eureka Jitney Company, request authority to operate a passenger stage service within the City of Eureka and areas immediately adjacent thereto.

At the present time applicants are providing service within the City of Eureka pursuant to local authority. They propose to operate over four routes from 6:30 a.m. to 6:30 p.m. daily except Sundays and holidays. Service would be provided by six 1961 Ford Econoline passenger buses. A fare of 25 cents is proposed with an additional charge of 15 cents for transfer privileges.

As of September 1, 1961, applicants indicated a combined net worth in the amount of \$51,870.

It is alleged that there is a need for the proposed service and that it will not conflict with any existing passenger stage service.

After consideration the Commission finds and concludes that public convenience and necessity require the granting of the authority sought. A public hearing is not necessary.

Jess Herring and George A. Dickey, doing business as Eureka Jitney Company, 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 being informed in the premises,

IT IS ORDERED:

1. That a certificate of public convenience and necessity is hereby granted to Jess Herring and George A. Dickey authorizing the transportation of service as a passenger stage corporation between the points and over the routes set forth in Appendix A attached hereto.

2. That, 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 and insurance requirements of the Commission's General Order No. 101-A. 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-A, 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, 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 Los Angeles, California, this 24th day of OCTOBER, 1961.

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President

*Edmund J. Hall*

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*E. J. ...*

*George T. Grover*

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*Fredrick B. Halbluff*  
Commissioners

Commissioner Everett C. McKeage, being necessarily absent, did not participate in the disposition of this proceeding.

Appendix A            JESS HERRING and GEORGE A. DICKEY Original Page 1  
                              doing business as  
                              EUREKA JITNEY COMPANY

Jess Herring and George A. Dickey by the certificate of public convenience and necessity granted in the decision noted in the margin, are authorized to transport passengers over and along the following routes:

Route No. 1

Beginning at the intersection of 5th and E Streets, in the City of Eureka, thence along 5th Street, Myrtle Avenue, Harrison Street, Russ Street, Dolbeer Street, Harris Street, Hall Avenue, Myrtle Avenue, 6th Street, E Street to the intersection of 5th and E Streets.

Route No. 2

Beginning at the intersection of 5th and E Streets, in the City of Eureka, thence along 5th Street, J Street, Harris Street, T Street, Hodgson Street, W Street, Hemlock Street, Walnut Drive, Holly Street to Excelsior Road; returning via Holly Street, Walnut Drive, Cypress Street, Cedar Street, Redwood Street, Walnut Drive, Hemlock Street, Dolbeer Street, Chester Street, Hodgson Street, T Street, Harris Street, J Street, 6th Street, E Street to its intersection with 5th Street.

Route No. 3

Beginning at the intersection of 5th and E Streets, in the City of Eureka, thence along E Street to Henderson Street, F Street, Spruce Street, D Street, Alder Street, F Street, Harris Street, C Street, Wabash Avenue, E Street to its intersection with 5th Street.

Issued by the California Public Utilities Commission.

Decision No. 62728, Application No. 43754.

