

ORIGINALDecision No. 62775

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 B. W. EDWARDS, dba El Tejon Taxi Company,)
 for authority to sell and transfer, and)
 LINAS REDMAN, dba City Cab Company, Black)
 & White Cab Company and Yellow Cab Company)
 of Bakersfield, to purchase and acquire)
 certain motor vehicle operating rights)
 No. 30432, Decision No. 43167.)

Application No. 43791

O P I N I O N

B. W. Edwards requests authority to sell and transfer, and Linas Redman requests authority to purchase and acquire, operative rights as a passenger stage corporation.

The rights were granted by Decision No. 43167 and authorize the transportation of passengers between the Kern County Airport and the City of Bakersfield. The agreed cash consideration is \$768.54.

Applicant purchaser presently operates taxicab service within Bakersfield and points immediately adjacent thereto. He proposes to use a 1960, eight passenger, Goliath Micro Express Bus to and from the airport. As of April 20, 1961, he indicated a net worth in the amount of \$53,163.50.

It is alleged that applicant purchaser intends to maintain regular scheduled passenger service designed to meet all scheduled passenger flights arriving at and departing from Kern County Airport. The application indicates, however, that purchaser intends to increase fares now in effect. This may not be done without first justifying such increase and receiving appropriate authority from this Commission.

After consideration the Commission finds and concludes that the proposed sale would not be adverse to the public interest. A public hearing is not necessary.

Linas Redman 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 HEREBY ORDERED:

1. That, on or before January 1, 1962, B. W. Edwards is hereby authorized to transfer and sell, and Linas Redman is hereby authorized to purchase and acquire, the operative rights granted by Decision No. 43167.
2. That, within thirty days after the consummation of the transfer herein authorized, purchaser 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, applicants shall, effective concurrently with the consummation of such transfer, amend or reissue the tariffs and timetables on file with the Commission, naming rates, rules,

regulations and schedules governing the common carrier operations here involved, including joint rate arrangements, to show that B. W. Edwards has withdrawn or canceled and Linas Redman has adopted or established as his own, said rates, rules, regulations and schedules. The tariff and timetable filings made pursuant to this order shall comply in all respects with the regulations governing the construction and filing of tariffs set forth in the Commission's General Orders Nos. 79 and 98.

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

Dated at San Francisco, California, this 7th day of NOVEMBER, 1961.

Carroll B. Rose
President

J. E. Randall

S. J. Fox

George G. Grover

Commissioners

Commissioner Frederick B. Holboff being necessarily absent, did not participate in the disposition of this proceeding.