

ORIGINAL

Decision No. 63027

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of P. C. CROSS, doing business as HEMET BUS LINE, for a certificate of public convenience and necessity in lieu of present certificates, and for permission to abandon "on-call" service between Ryan Field and Los Angeles; also to abandon route between Soboba Junction and San Jacinto via Soboba Hot Springs Hotel.

Application No. 43824

O P I N I O N

Applicant now operates a scheduled passenger stage service between Riverside and Hemet, with an alternate route between San Jacinto and Soboba Junction, to serve the resort of Soboba Hot Springs. He is authorized to render, but has not been operating, an "on-call" service between the Ryan School of Aeronautics, near Hemet, and the City of Los Angeles.

By this application authority is sought to (1) discontinue the service via said alternate route between San Jacinto and Soboba Junction, (2) update the description of the route between Riverside and Hemet, and (3) abandon the authority to operate between the Ryan School of Aeronautics and Los Angeles. Applicant also has requested an in lieu certificate.

It appears from the allegations contained in the application and a Commission staff report that service to Soboba Hot Springs is conducted on an "on-call" basis from Hemet. In

the opposite direction, applicant discharges passengers originating in Riverside. It further appears that for several years an average of less than five passengers per month have boarded or alighted at Soboba Hot Springs, and that during the months of September and October, 1961, only three Soboba Hot Springs passengers were carried. During said two months a total of 3,784 passengers were transported, 1,513 of which either originated at, or were destined to, points south of San Jacinto.

Soboba Hot Springs consists solely of a hotel and several adjacent farmhouses. The persons usually using the service are occasional hotel employees.

Service to the hotel is conducted by operating to San Jacinto, thence over the alternate route to Soboba Hot Springs, then back-tracking to San Jacinto, the round-trip distance of which is approximately five miles. This is necessary in order to serve passengers along State Highway No. 79 between San Jacinto and Soboba Junction. The alternate route trip results in a delay of from 15 to 20 minutes for through passengers.

Considering the delay and inconvenience to the regular passengers and the small number of persons utilizing the alternate route service, the discontinuance appears justified.

The authority to serve the Ryan School of Aeronautics was granted during World War II and operated on an infrequent basis for approximately two years. Since the latter part of 1946 there has been no need for the service and none has been advertised or provided.

The application is not opposed.

For the purpose of clarifying applicant's operating authority and redescribing the present Riverside-Hemet route to coincide with several street name changes, an in lieu certificate of public convenience and necessity will be granted. A public hearing is not necessary.

P. C. Cross 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 made, the Commission being fully advised in the premises and finding and concluding that public convenience and necessity so require,

IT IS ORDERED:

1. That a certificate of public convenience and necessity be and it hereby is granted to P. C. Cross, doing business as Hemet Bus Line, authorizing him to establish and operate a service for the transportation of persons as a passenger stage corporation, as defined in Section 226 of the Public Utilities

Code, between the points and over the routes more particularly set forth in Appendix A attached hereto and made a part hereof.

2. That in providing service pursuant to the certificate herein granted, P. C. Cross shall comply 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. 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 his 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 120 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 and timetables satisfactory to the Commission.

3. That the certificate of public convenience and necessity granted in paragraph 1 of this order supersedes all certificates of public convenience and necessity authorizing the transportation of persons as a passenger stage corporation, heretofore acquired by and granted to P. C. Cross or to

P. C. Cross doing business as Hemet Bus Line, which certificates are hereby revoked, said revocation to become effective concurrently with the effective date of the tariff filing required by paragraph 2 (b) hereof.

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

Dated at San Francisco, California, this 9th day of JANUARY, 1967.

Robert W. Bease
President

John E. Mitchell

George T. Grover

Frederick B. Schloff

Commissioners

APPENDIX A

P. C. CROSS
doing business as
HEMET BUS LINE

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CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY

Showing Passenger Stage Operative Rights, Restrictions,
Limitations, Exceptions, and Privileges Applicable
Thereeto.

All Changes and Amendments as Authorized by the Public
Utilities Commission of the State of California will be made
as Revised Pages or Added Original Pages.

Issued under Authority of Decision No. 63027,
Dated _____, 196 , of the Public Utilities Commission
of the State of California, on Application No. 43824.

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS, AND SPECIFICATIONS.

The certificate hereinafter noted supersedes all operative authority heretofore granted to P. C. Cross, doing business as Hemet Bus Line, or his predecessors.

P. C. Cross, doing business as Hemet Bus Line, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers, baggage and express between Riverside, on the one hand, and Hemet, on the other hand, serving the termini and all intermediate points, along the routes as hereinafter described, subject to the following provisions:

- (a) 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, in accordance with local traffic regulations.
- (b) When route descriptions are given in one direction, they apply to operation in either direction, unless otherwise indicated.
- (c) The transportation of baggage and express shall be incidental to the transportation of passengers, and shall be limited to a weight of one hundred (100) pounds per shipment.

Issued by California Public Utilities Commission.

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APPENDIX A

P. C. CROSS
doing business as
HEMET BUS LINE

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SECTION 2. ROUTE DESCRIPTIONS.

Subject to the authority of this Commission to change or modify such at any time, Hemet Bus Line shall conduct its passenger stage operations between the following points and over and along the following described route:

RIVERSIDE - HEMET

Commencing at the Riverside bus terminal at 3734 Market Street, thence along adjacent city streets, U. S. Highway No. 60 and State Highway No. 79 via Gilman Hot Springs and San Jacinto to Hemet.

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