

ORIGINAL**64087**

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of LUCILLE PRINCEAU for an order
authorizing the transfer of operat-
ing rights and properties as a
passenger stage corporation between
the Monterey Peninsula Airport and
surrounding area in the State of
California to Dalton Hafner and
Rudolph Dockter.

Application No. 44657

O P I N I O N

By Decision No. 50019, dated May 11, 1954, the Commission granted to applicant Princeau a certificate to transport passengers and their baggage between Salinas Municipal and Monterey Peninsula Airports and Monterey Peninsula points. By Decision No. 60775, dated September 20, 1960, in Application No. 42482 she was authorized to discontinue the service to Salinas Airport.

Applicant Princeau now proposes to transfer the operation and property to applicants Hafner and Dockter for \$6,500 in cash which will cover not only the public utility business but other aspects of the operation as well. The board of directors of the Monterey Peninsula Airport District approved the transfer on July 11, 1962 according to a copy of a letter attached to the application. The transfer includes the operative rights and the equipment of seller.

Evidence of the financial responsibility of the purchasers is attached to the application. It is alleged that their experience as cab operators amounts to fifteen years in each case. They propose to conduct the service as partners. The Commission finds that

purchasers Hafner and Dockter have the necessary experience, equipment, personnel and financial resources to carry on the service sought to be transferred.

The authorization herein granted shall not be construed as a finding of the value of the rights and equipment nor as a determination that the amounts referred to herein will be accepted as proper bases for an order authorizing the issue of securities.

Dalton Hafner and Rudolph Dockter 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.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest.

A public hearing is not necessary.

O R D E R

Application having been filed and the Commission having determined that the application should be granted,

IT IS ORDERED that:

1. On or before December 31, 1962, Lucille Princeau may sell and transfer, and Dalton Hafner and Rudolph Dockter may purchase and acquire, the operative rights and property referred to in the application.

2. Within thirty days after the consummation of the transfer herein authorized, Dalton Hafner and Rudolph Dockter 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. Applicants shall amend or reissue the tariffs and timetables on file with the Commission, naming rates and rules governing the common carrier operations here involved, to show that Lucille Princeau has withdrawn or canceled, and Dalton Hafner and Rudolph Dockter have adopted or established as their own, said rates and rules. The tariff and timetable filings shall be made effective on not less than ten days' notice to the Commission and the public, and the effective date of the tariff and timetable filings shall be concurrent with the consummation of the transfer herein authorized. 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 and timetables 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 AUGUST, 1962.

George G. Grover
President
[Signature]
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Commissioners