

Decision No. 65519**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of JACK EASLEY to operate }  
 bus service between Lemoore Naval Air }  
 Station, Lemoore, California and }  
 Fresno; to establish fares. }

Application No. 45384

O P I N I O N

Jack Easley requests authority to operate a passenger stage service between Lemoore Naval Air Station and Fresno. No service is proposed to intermediate points.

Applicant proposes a daily evening service with schedules leaving the Air Station at 6:00 p.m. and departing Fresno at 12:30 a.m., Monday through Thursday. Additional schedules, including morning and afternoon schedules, would be provided on weekends. The proposed fare is \$1.50 one way and \$2.50 round trip. Service would be provided through the use of one 1963 Ford Econoline station bus.

Applicant is a petty officer stationed at Lemoore with 10 years of service. He allegedly has \$2,000 earmarked for the establishment of the proposed operation. He proposes to operate the service himself and according to his figures estimates a monthly profit of \$346.

It is alleged that there is only limited service to the Air Station at the present time which does not completely meet the needs of the servicemen during off-duty hours; that there are presently 5,000 servicemen and approximately 1,000 civilian

personnel at the Air Station; that the servicemen have a need for service to Fresno, the nearest metropolitan area, either for the purpose of recreation or for the purpose of connecting with other means of public transportation, and that applicant has completed arrangements with Continental Trailways Bus System for the use of its Fresno terminal.

Copies of the application were served on local authorities and carriers presently serving the immediate area. No protest has been received. Attached to the application are letters from the Air Station, the Fresno Chamber of Commerce, and the Hanford Travel Service indicating interest and support of the proposed service.

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

Jack Easley 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

IT IS ORDERED that:

1. A certificate of public convenience and necessity is hereby granted to Jack Easley authorizing him to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the routes set forth in Appendix A attached hereto and made a part hereof.

2. 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 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 one hundred twenty days after the effective date hereof, applicant shall establish the service herein authorized and file in the Commission's office in triplicate tariffs and timetables satisfactory to the Commission.
- (c) The tariff and timetable filings shall be made effective not earlier than ten days after the effective date of this order 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 establishment of the service herein authorized.

(d) The tariff and timetable filings made pursuant to this order shall comply 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 4<sup>th</sup> day of JUNE, 1963.

*[Signature]* President  
*[Signature]* Acting President  
*[Signature]*  
*[Signature]*  
*[Signature]* Commissioners

Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.

Jack Easley, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers and their baggage between Fresno, on the one hand, and the Lemoore Naval Air Station, on the other hand, over the following route:

Commencing at the main gate of the Lemoore Naval Air Station, thence along State Highway 198 and State Highway 41 to the City of Fresno, Elm Avenue, C Street, Fresno Street to Broadway Street and the terminal of Continental Trailways Bus System.

Condition

No service may be provided to, from or between intermediate points.

Issued by California Public Utilities Commission.

Decision No. 65519, Application No. 45384.