

ORIGINAL

Decision No. 66023

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
John R. Allen and Doris V. Allen, )  
doing business as RAMONA STAGE LINES, )  
for certificate of public convenience )  
and necessity to operate passenger, )  
baggage and express service between )  
Escondido, California, and El Cajon, )  
California. )

Application No. 45434  
(Filed May 15, 1963)

John R. Allen, for applicants.  
Alton H. Putnam, for San Diego Economy  
Bus Lines, Inc., protestant.  
John R. Walker, for Citizens Committee  
of Ramona, interested party.  
Fred G. Ballenger, for the Commission  
staff.

O P I N I O N

John R. Allen and Doris V. Allen, doing business as Ramona Stage Lines, request a certificate of public convenience and necessity to operate as a passenger stage corporation between Escondido and El Cajon in San Diego County, serving intermediate points along State Highways Nos. 78 and 67. No local service is proposed between points intermediate of Lakeside Avenue, in Lakeside, and El Cajon. Applicants also propose to transport baggage weighing not more than 100 pounds.

A public hearing was held in Ramona on August 28, 1963, before Examiner Chiesa. Oral and documentary evidence having been adduced, the matter was submitted for decision.

San Diego Economy Bus Lines, Inc., protested the application as it now renders a bus service between Lakeside and El Cajon. As applicants are proposing inter-city service and have agreed to a restriction forbidding the transportation of local passengers between Lakeside Avenue, in Lakeside, and its terminus in El Cajon, protestant did not press its protest except as to applicants' financial ability.

John R. Allen testified for applicants and nine additional witnesses, prominent in local civic affairs and business, testified that a public need exists for the proposed service.

The evidence shows that:

There is no public transportation at present between Escondido and El Cajon and between the intermediate points of San Pasqual, Ramona and Lakeside. Approximately 78,000 persons reside in or in the vicinity of said communities and along the proposed route. The testimony of the public witnesses clearly shows that there is a public need for the proposed bus service.

Applicants will operate with a 1963 eight-passenger Ford DeLuxe Club Wagon and will have a Ford Falcon station wagon as stand-by equipment. Three round trips daily, except Sunday, are proposed. The mileage, one way, is approximately 41 miles. Fares will range between 30 cents and \$1.90, depending on the points of origin and destination as set out in Exhibit "A" filed with the application.

Applicant, John R. Allen, is a Chief Petty Officer, soon to be retired, who has surveyed the area proposed to be served and has found that there is no local service at present, as herein

proposed. In view of the increase in population and commercial establishments along said route, applicants are of the opinion that the operation will soon become compensatory. Connections with the San Diego Transit System and San Diego Economy Bus Lines, Inc., services at El Cajon will be available. Applicants have made preliminary arrangements for the establishment and operation of the service.

As of August 28, 1963, applicants' total assets and liabilities were \$20,675.00 and \$16,495.00, respectively. Their business assets consist of the bus valued at \$3,039.00, which is subject to an equipment liability of \$2,367.17. Applicants are husband and wife and they will operate the business from their home.

Based upon the evidence we find that: (1) Applicants possess the requisite experience, equipment and financial resources to institute and maintain the proposed service. (2) Public convenience and necessity require that passenger stage service be established as hereinafter set forth. We conclude that the application should be granted.

John R. Allen and Doris V. Allen 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

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to John R. Allen and Doris V. Allen, authorizing them to operate 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. 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, applicants 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 ten days after the date hereof.

Dated at San Francisco, California, this 17<sup>th</sup> day of SEPTEMBER, 1963.

*William La Bunde*  
President

*George T. Trover*

*Frederick B. Helchoff*  
Commissioners

JOHN R. ALLEN and DORIS V. ALLEN  
doing business as  
RAMONA STAGE LINES

Appendix A

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CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

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Showing passenger stage operative rights, restrictions,  
limitations, exceptions, and privileges applicable thereto.

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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.

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Issued under authority of Decision No. 66023  
dated Sept. 17, 1963, of the Public Utilities  
Commission of the State of California, on Application  
No. 45434.

JOHN R. ALLEN and DORIS V. ALLEN  
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Appendix A

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

John R. Allen and Doris V. Allen, doing business as Ramona Stage Lines, by the certificate of public convenience and necessity granted by the decision noted in the margin, are authorized to transport persons and their baggage weighing 100 pounds or less on passenger-carrying vehicles operated in regular service between the City of Escondido, on the one hand, and the City of El Cajon, on the other hand, serving the termini and 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) Passengers shall not be transported whose origin and destination are both between the intersection of Highway 67 and Lakeside Avenue in Lakeside (approximately 500 feet north of the San Diego River) and the intersection of Main Street and Magnolia Avenue in El Cajon.

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SECTION 2.    ROUTE DESCRIPTIONS.

Route No. 1 - Escondido - Ramona - El Cajon

Commencing at the intersection of Ohio and Kalmia Streets, in the City of Escondido, thence via California Highway 78 to Ramona, thence via local streets to the Ramona terminal, thence via California Highway 67 to the intersection of Main Street and Magnolia Avenue, in the City of El Cajon, and reverse thereof.

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