

ORIGINALDecision No. 67482

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 LEONARD F. TREW and DOROTHY M. BROWN,)
 individually and doing business as)
 "HI LINERS," a co-partnership, for a)
 certificate of public convenience and) Application No. 46639
 necessity to operate a scenic tour,)
 sight seeing passenger stage service)
 between FORT BRAGG, CALIFORNIA, and)
 MENDOCINO, CALIFORNIA, and intermediate)
 points.)

O P I N I O N

On May 15, 1964, Leonard F. Trew and Dorothy M. Brown, individually and doing business as "Hi Liners", a copartnership, filed an application requesting a certificate of public convenience and necessity authorizing them to establish and operate a passenger stage service for the transportation of scenic tour passengers between Fort Bragg and Mendocino over State Highway 1; one tour to operate between Fort Bragg and Noyo Harbor and a second tour to operate between Fort Bragg and Mendocino. The service to be provided will be exclusively for passengers who board initially in Fort Bragg and are transported to Noyo and Mendocino with return to Fort Bragg as a scenic tour. All passengers will pay the round-trip fare from Fort Bragg. The proposed round-trip fares are as follows:

1. Between Fort Bragg and Noyo Harbor: \$1.60
2. Between Fort Bragg and Mendocino: \$3.20
3. All children under twelve to be assessed one half of the above fares.
4. No charge will be made for children under the age of five years.

The bus trips will be scheduled to meet the passengers arriving in Fort Bragg on the trains of the California Western Railway (The Skunk) from Willits. If the railroad changes the time of arrival of its trains, the bus schedules will be amended to conform thereto. The initial schedule of buses will be as follows:

Fort Bragg - Noyo

Lv Fort Bragg	9:40 A.M.	4:30 P.M.
Ar Noyo	9:50 A.M.	4:40 P.M.
	30 Min. Break	25 Min. Break
Lv Noyo	10:20 A.M.	5:05 P.M.
Ar Fort Bragg	10:30 A.M.	5:15 P.M.

Fort Bragg - Mendocino

Lv Fort Bragg	11:00 A.M.
Noyo	11:10 A.M.
Caspar	11:20 A.M.
Mendocino	11:30 A.M.
Lv Mendocino	1:30 P.M.
Caspar	1:45 P.M.
Noyo	1:55 P.M.
Fort Bragg	2:00 P.M.

Applicants have no equipment at present. If the certificate is granted, \$5,000 will be deposited in the Coast National Bank in Fort Bragg. The applicants anticipate that \$2,000 of this sum will be used to purchase three used school buses in order to start the operation. The remainder of the sum will be used to cover initial expenses and operating expenses for an estimated period of two months.

Western Greyhound Lines also operates in the area to be served by the applicants. Greyhound has advised by a letter dated May 16, 1964 that it has no objection to this application, provided that if a certificate is issued it be restricted so passengers will be handled in round-trip service only from Fort Bragg to Mendocino or intermediate points.

The Commission finds that:

1. A public hearing is not necessary.
2. Public convenience and necessity require that the application be granted.

The Commission concludes that the application should be granted.

Applicants 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 Leonard F. Trew and Dorothy M. Brown, 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 of the California Highway Patrol, the 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 safety rules, or the provisions of General Orders Nos. 98 or 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 tariffs and timetables, in triplicate, in the Commission's office.
- (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 7th day of JULY, 1964.

Frederick B. Hallock
President

[Signature]

Cecil [Signature]

George A. [Signature]

Commissioners

ied

Appendix A

Leonard F. Trew and
Dorothy M. Brown
doing business as
HI LINERS

Original Page 1

Leonard F. Trew and Dorothy M. Brown, by the certificate of public convenience and necessity granted in the decision noted in the margin, are authorized to transport passengers on a round trip basis only, from Fort Bragg to Noyo on one route and from Fort Bragg to Mendocino on the second route.

Subject to the authority of the Commission to change or modify it at any time by further order, applicants shall conduct the service herein authorized over and along the following route:

Commencing at Fort Bragg, thence southerly along State Highway 1 to Noyo and to Mendocino, thence returning to Fort Bragg by the same route.

Subject to the following restrictions:

Service to be restricted to passengers traveling on a round-trip basis from Fort Bragg.

Issued by California Public Utilities Commission.

Decision No. 67482, Application No. 46639