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Decision No. 69082

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
RUBEN EARL WILLIAMS for a certificate )  
of public convenience and necessity )  
to operate a passenger stage line )  
(common carrier) service between )  
Oakland and BOP Assembly Plant )  
(Fremont). )

Application No. 47355  
(Filed February 24, 1965)

O P I N I O N

Applicant requests authorization to institute and conduct operations as a passenger stage corporation for the transportation of passengers between Oakland, on the one hand, and, on the other hand, the BOP (General Motors) Assembly Plant in Fremont, to enable employees living in Oakland to go to and from work.

Applicant does not presently possess any Commission authority to transport passengers. Applicant proposes one round trip daily, Monday through Friday, charging fares ranging from \$5.25 to \$6.75 per week, round trip, depending on the point of pickup and delivery.

Applicant proposes to utilize buses leased from and maintained by Peerless Stages, Inc. in this operation. He alleges that he has sufficient capital to initiate and carry on the proposed operation and can secure an additional sum up to \$5,000, if needed. He has attached to his application a list of 56 signatures of persons desiring to utilize his proposed service and alleges that other BOP Assembly Plant employees will also desire the service.

Copies of this application were served upon Alameda Contra Costa Transit District, Greyhound Lines, Inc., Peerless Stages, Inc. and Continental Trailways. There were no protests.

Based upon the allegations and exhibits in his verified application and the investigation and favorable recommendation of the Commission staff, the Commission finds as follows:

1. Public convenience and necessity require that the application be granted as set forth in the ensuing order.

2. Public hearing is not necessary.

As a consequence the Commission concludes that the application should be granted.

Applicant 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 granted to Ruben Earl Williams, an individual, 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 more particularly 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 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, applicant 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 twenty days after the date hereof.

Dated at Los Angeles, California, this 18<sup>th</sup> day of May, 1965.

Frederick D. Hallock  
President

George T. Trover

August

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioners

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. 69082  
 dated May 18, 1965, of the Public Utilities  
 Commission of the State of California, on Application  
 No. 47355.

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

RUBEN EARL WILLIAMS, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport persons on passenger-carrying vehicles operated in regular service between the City of Oakland, on the one hand, and the BOP (General Motors) Assembly Plant in the City of Fremont, on the other hand, over the routes 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 the opposite direction, unless otherwise indicated.
- (c) Service shall be restricted to persons originating at or destined to the BOP (General Motors) Assembly Plant in Fremont.
- (d) No persons shall be picked up or discharged south of the intersection of State Highway 17 and Ninety-eighth Avenue except at the BOP Assembly Plant.

Issued by California Public Utilities Commission.

Decision No. 69082, Application No. 47355.

## SECTION 2. ROUTE DESCRIPTIONS.

## Oakland - BOP Assembly Plant Route:

Commencing at the intersection of Thirteenth Street and Broadway in the City of Oakland thence along Thirteenth Street, Fourteenth Street, Ninety-eight Avenue, State Highway 17 (Nimitz Freeway), Durham Road and Fremont Boulevard to the BOP Assembly Plant in Fremont.

Also from the intersection of Thirteenth Street and Fourteenth Street along Fourteenth Street and Broadway to the intersection of Thirteenth Street.

Issued by California Public Utilities Commission.

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