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ORIGINAL

Decision No. 69200

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION
OF RICEARD CHALA DOING BUSINESS
AS AUTO BUS CHALA TO SELL UTILITY
PROPERTY WHICH IS NECESSARY AND
USEFUL IN THE PERFORMANCE OF THE
DUTIES TO THE PUBLIC AND OF THE
SALE OF THE PERMIT THEREFORE TO
T. R. HOLLIDA AND W. D. JACKSON.

Application No. 47526

(Filed April 26, 1965)

O P I N I O N

By Decision No. 56551, Richard Chala was authorized to operate as a passenger stage corporation between the City of Oxnard and nine named farm labor camps situated in the vicinity of said city. The service is limited to the transportation of passengers having origin or destination at one of said camps.

By this application authority is sought to sell the certificate of public convenience and necessity and certain assets to Thomas R. Hollida and William D. Jackson, copartners, doing business as Auto Bus Company, for a consideration of \$4,000, payable \$1,500 upon approval by this Commission, the balance to be payable \$100 per month, plus interest at the rate of six per cent per annum on the unpaid balance. The partners will each have a 50 per cent interest in the business. At present said partners operate the Yellow Cab Company in the City of Oxnard, which is also owned by them in equal shares. A balance sheet of the cab company, as of March 31, 1965, shows assets of

\$73,817.32; liabilities of \$23,040.18; and capital investment of \$25,388.57 for each partner.

The tangible assets to be acquired from the present operator consist of one bus, two station wagons, office furniture and fixtures, various supplies and other equipment, trade name and goodwill. The consideration for the certificate is \$1,000 and \$3,000 for all other assets.

The purchasers proposed to upgrade the operating equipment by adding two 1963 30-passenger buses and one 8-passenger station wagon. They will operate the bus business from 536 Meta Street, Oxnard; their cab business is located at 737 South "A" Street, Oxnard.

Nine camps will be served in place of the original eleven, two having been discontinued. No change in fares is contemplated.

It is alleged that Richard Chala, the present operator, desires to dispose of his bus business and devote his time to labor contracting and other matters. The purchasers are aware of the decline in passenger revenue, but are willing to undertake the responsibility and they have the experience and financial ability to do so.

The application is not opposed.

After consideration, the Commission finds that the proposed transfer would not be adverse to the public interest and that public convenience and necessity require that Thomas R. Hollida and William D. Jackson establish and operate a passenger

stage service as hereinafter set forth. A public hearing is not necessary. The application will be granted.

The authority herein granted shall not be construed as a finding of the value of the rights and property herein authorized to be transferred.

For clarification, the purchasers will be granted a new certificate in place and stead of present authority which will be canceled.

Thomas R. Hollida and William D. Jackson, doing business as Auto Bus Company, 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 holders 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. On or before July 31, 1965, Richard Chala may sell and transfer, and Thomas R. Hollida and William D. Jackson 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, Thomas R. Hollida and William D. Jackson 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, rules and regulations governing the common carrier operations herein to show that Richard Chala has withdrawn or canceled, and Thomas R. Hollida and William D. Jackson have adopted or established, as their own, said rates, rules and regulations. 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 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.

4. On or before the end of the third month, after the consummation of the transfer as herein authorized, Thomas R. Hollida and William D. Jackson shall cause to be filed with the Commission, in such form as the Commission may prescribe, an annual report, or reports, related to the operations of the seller for the period commencing with the first day of the current fiscal year to and including the effective date of the transfer.

5. A certificate of public convenience and necessity is granted to Thomas R. Hollida and William D. Jackson, copartners, 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.

6. In providing service pursuant to the certificate herein granted, Thomas R. Hollida and William D. Jackson shall comply with and observe the following service regulations:

- (a) Within thirty days after the effective date hereof, Thomas R. Hollida and William D. Jackson, copartners, shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, the copartners 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 No. 98 or 101-A, may result in a cancellation of the operating authority granted by this decision.
- (b) Within thirty days after the effective date hereof, Thomas R. Hollida and William D. Jackson shall establish the service herein authorized and file tariffs and timetables, in triplicate, in the Commission's office.

7. The certificate of public convenience and necessity granted in paragraph 5 of this order shall supersede the certificate of public convenience and necessity granted by Decision No. 56551, which certificate shall be revoked effective concurrently with the effective date of the tariff filings required herein.

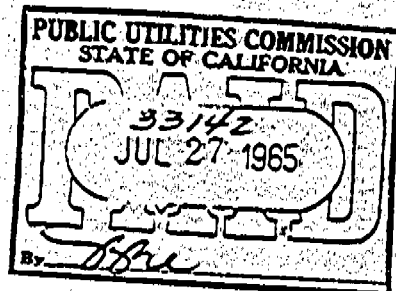
8. Thomas R. Hollida and William D. Jackson shall keep all books, accounts, papers, and records required by this Commission, pertaining to the "passenger stage" business as herein authorized, in a manner readily available to authorized representatives of this Commission.

9. Thomas R. Hollida and William D. Jackson, on or after the effective date of this order and on or before November 1, 1965, for the purposes specified in the application, may issue a promissory note in the principal amount of \$2,500, payable at the rate of \$100 per month, plus interest at the rate of six percent per annum on the unpaid balance.

10. The authority herein granted to issue a note will become effective when Thomas R. Hollida and William D. Jackson have paid the fee prescribed by Section 1904 (b) of the Public Utilities Code, which fee is \$25. In other respects the effective date of this order shall be ten days after the date hereof.

Dated at San Francisco, California, this 3rd day of NINE, 1965.

Fredrick B. Hallock
President
George H. Chover
William La Berrand
Commissioners



THOMAS R. HOLLIDA and WILLIAM D. JACKSON
doing business as
AUTO BUS COMPANY

Appendix A

Original Page 1

CERTIFICATE

of

PUBLIC CONVENIENCE AND NECESSITY

Showing Passenger Stage Operative Rights, Restrictions,
Limitations, Exceptions and Privileges Applicable thereto.

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.

Issued under Authority of Decision No. 69200
dated June 8, 1965, of the Public Utilities Commission
of the State of California, on Application No. 47526.

THOMAS R. HOLLIDA and WILLIAM D. JACKSON
doing business as
AUTO BUS COMPANY

Appendix A

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

Thomas R. Hollida and William D. Jackson, doing business as Auto Bus Company by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers between the City of Oxnard and the following farm labor camps along the routes as hereinafter described, subject to the following provisions and restrictions:

- (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) When service is rendered on an "on-call" basis, tariffs and timetables of Auto Bus Company shall show the conditions under which such "on-call" service will be rendered.
- (d) This service shall be limited to the transportation of passengers having origin or destination at one of the specified camps.

Issued by California Public Utilities Commission.

Decision No. 69200, Application No. 47526.

THOMAS R. HOLLIDA and WILLIAM D. JACKSON
doing business as
AUTO BUS COMPANY

Appendix A

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SECTION 2. ROUTE DESCRIPTIONS

Subject to the authority of this Commission to change or modify such at any time, Auto Bus Company shall conduct its passenger stage operations over and along the following described routes:

- (1) Campo Pacifico, Campo Buena Vista and Campo Three S, along Oxnard Boulevard and 5th Street.
- (2) Garden City, along Oxnard Boulevard, Saviers Road, Pleasant Valley Road and Cypress Road.
- (3) Campo Blanco, along Oxnard Boulevard, 5th Street and Las Posas Road.
- (4) Campo Norte, along Oxnard Boulevard, 5th Street, Rice Road, Santa Clara Avenue and Los Angeles Avenue.
- (5) Campo Saticoy, along Oxnard Boulevard, 5th Street, Rice Road and Saticoy Avenue.
- (6) Campo Somis, along Oxnard Boulevard, 5th Street, Rice Road, Santa Clara Avenue, Los Angeles Avenue and Donlon Road.
- (7) Campo Lomas, along Oxnard Boulevard, 5th Street, Rice Road, Santa Clara Avenue, Los Angeles Avenue and Broadley Road.

Issued by the California Public Utilities Commission.

Decision No. 69200, Application No. 47526.