

**ORIGINAL**Decision No. 70060

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 HARBOR CARRIERS, INC., a corporation,  
 for a certificate of public convenience  
 and necessity authorizing an extension  
 of its operating authority so as to  
 authorize it to operate vessels "on  
 schedule" as a common carrier of  
 passengers between San Francisco and  
 Alcatraz Island.

Application No. 47411  
 (Filed March 12, 1965)

O P I N I O N

Applicant is a California corporation with its principal place of business located at Pier No. 41, San Francisco. It now operates as a common carrier by vessel transporting persons and property between points on San Francisco, San Pablo and Suisun Bays under prescriptive operating rights and certificates of public convenience and necessity transferred to the applicant by Decision No. 65450, dated May 28, 1963, in Application No. 45275.

Applicant alleges that numerous requests for a San Francisco to Alcatraz service have been received. It is further alleged that passengers would embark and disembark from Pier 43 at Fisherman's Wharf at San Francisco and that proposed fares would be \$1.50 each way and \$2.50 for a round trip, with children less than five years of age riding free; fares would be paid in advance and no baggage would be transported other than hand baggage carried by the passengers.

Applicant's balance sheet for the period ending December 31, 1964, shows current assets of \$48,815.06 and total assets of \$87,742.12; liabilities are listed as \$56,061.24.

The following schedule of service is proposed.

<u>June 1 Through September 10</u>		<u>September 11 Through May 31</u>
Leave San Francisco	10:00 a.m.	On-call service, on one hour's notice for five or more adult passengers.
Leave Alcatraz Island	10:30 a.m.	
Leave San Francisco	2:00 p.m.	
Leave Alcatraz Island	2:30 p.m.	

The following equipment is available to perform the service.

Each ship is owned by a separate corporation and an affiliate of applicant, The Harbor Tug & Barge Company, owns all of the stock.

<u>Vessel</u>	<u>Passengers</u>	<u>Size</u>
Harbor Prince	500	93' x 34'
Harbor Queen	406	64' 10" x 24'
Harbor King	406	64' 10" x 24'
Harbor Sightseer	219	61' x 18'
Harbor Tourist	219	61' x 18'
Harbor Princess	406	64' 10" x 24'
Lark	49	50' x 15'
Chief	49	50' x 15'
Warden Johnson	49	61' 9" x 17' 4"
Harbor Explorer	99	59' 6" x 18' 2"

Upon consideration the Commission finds as follows:

1. Applicant possesses the experience, equipment, personnel and financial resources to institute and maintain the proposed service.
2. Public convenience and necessity require that the application be granted as set forth in the ensuing order.
3. This extension of authority should be conditioned to become effective when applicant obtains authority from the United States Department of Interior to serve Alcatraz.

Harbor Carriers, Inc. 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 Harbor Carriers, Inc., a corporation, authorizing it to operate as a common carrier by vessel, as defined in Sections 211(b) and 238 of the Public Utilities Code, between the points and over the routes particularly set forth in Original Page 2 of 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 it will be required, among other things, to file annual reports of its operations and to comply with and observe the insurance requirements of the Commission's General Order No. 111-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 Order No. 111-A, may result in a cancellation of the operating authority granted by this decision.
- (b) Within one hundred twenty days after satisfying the condition in ordering paragraph 3, 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 requirement in paragraph 3 has been satisfied and and 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. 87 and 117.

3. The above certificate shall not be exercised until the United States Government has granted applicant authority to serve Alcatraz Island.

The effective date of this order shall be twenty days after the date hereof.

San Francisco

Dated at \_\_\_\_\_, California, this  
4<sup>th</sup> day of December, 1965.

Frederick B. Holcomb  
 President

George H. Hoover

Augustus

William L. Daniels  
 Commissioners

- C. 1. Harbor Carriers, Inc., by the certificate granted by the decision noted in the margin, is authorized to transport passengers between San Francisco, on the one hand, and Alcatraz Island, in the San Francisco Bay, on the other hand.
2. Harbor Carriers, Inc., shall provide in its tariff and timetable for at least two trips per day each direction during the period between June 1 through September 10 of each year. In addition, Harbor Carriers, Inc., is authorized to provide in its tariff and timetable for an on-call service, on one hour's notice for five or more adult passengers between the period September 11 through May 31 of each year.