

ORIGINAL

Decision No. 70880

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
HERBERT BLASER for a certificate of
public convenience and necessity to
operate a sightseeing passenger stage
service within and near the City of
Oroville, California.

Application No. 48339
(Filed March 28, 1966)

O P I N I O N

Applicant requests a certificate of public convenience and necessity to establish and operate a service under Section 1031 et seq. of the Public Utilities Code for the transportation of passengers between a terminal at 1527 Feather River Boulevard, Oroville, California and various points of historic and general interest, some within the City of Oroville, California, and all within the County of Butte, State of California. The service proposed will be operated under the name of "Villa Sight-seeing Tours".

Applicant proposes three trips per day. There is no service now operating between the points proposed to be served which the proposed operation might affect.

A statement of applicant's financial condition as shown by Exhibit E attached to the application indicates a net worth of \$56,158 as of March 22, 1966.

Copies of this application were served upon the County Administrator of Butte County and the City Administrator of the City of Oroville. There were no protests.

Based upon the allegations and exhibits in his verified application, the Commission finds as follows:

1. Public convenience and necessity require that the application be granted as set forth in the ensuing order.
2. Applicant has the financial resources to provide the service sought in the application.

3. 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 Herbert Blaser, 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. Applicant is placed on notice that if he accepts the certificate of public convenience and necessity herein granted, he will be required, among other things, 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-A and insurance

requirements of the Commission's General Order No. 101-B. Failure to comply with and observe the safety rules, or the provisions of General Orders Nos. 98-A or 101-B, 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 five days after the effective date of this order on not less than five 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-A.
- (e) Applicant shall maintain its accounting records on a calendar year basis in conformance with the applicable Uniform System of Accounts or Chart of Accounts as prescribed or adopted by this Commission and shall file with the Commission, on or before March 31 of each year, an annual report of its operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 21st day of JUNE, 1966.

Fredrick B. Hallock
President

George J. Grover

Augusta

William G. Broad
Commissioners

Section 1. GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS AND SPECIFICATIONS

Herbert Blaser, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers for sightseeing purposes between the City of Oroville and surrounding area over the routes hereinafter described subject to the following provisions:

- (a) Service shall be limited to the transportation of round-trip passengers.

Section 2. ROUTE DESCRIPTIONS

Commencing at 1527 Feather River Boulevard, in the City of Oroville, thence via Feather River Boulevard, Montgomery Street, First Avenue, Broderick Street, Lincoln Street, Montgomery Street, Chico Road to the Fish Barrier Dam, Chico Road, Bridge Street, Quincy Highway, Olive Highway, Hillcrest Drive, Forbestown Road, Hillcrest Drive, Olive Highway, Canyon Drive, Oroville Dam Boulevard, Montgomery Street and Feather River Boulevard to the point of beginning; visiting the Lott Home, Chinese Temple, Fish Barrier Dam, Middle Fork Bridge and Oroville Dam Overlook.

Issued by California Public Utilities Commission.

Decision No. 70880, Application No. 48339.