

Decision No. 70984**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 Alfred H. Crooks, dba DACHSHOUND)
 CHARTER LINES, to modify and extend)
 existing passenger stage route and)
 schedule to include more streets)
 within the area now being served by)
 the applicant.)

Application No. 48351
 (Filed March 28, 1966)

O P I N I O N

Alfred H. Crooks, doing business as Dachshound Charter Lines, is a passenger stage corporation presently transporting passengers between Concord, in Contra Costa County, and the Naval Supply Center in Oakland, Alameda County. Applicant requests authorization herein to extend his passenger stage operation so as to transport passengers from Fremont to the Naval Supply Center in Oakland. The application was protested by the Alameda-Contra Costa Transit District and by Peerless Stages. The protests have been withdrawn, however, since applicant agreed to eliminate his fare point between Hayward and the Oakland Naval Supply Center and further agreed to use no more than two buses on the new route.

It is alleged that many of the Naval Supply Center workers who live in Fremont have requested the proposed service. The route has been scheduled to deliver workers to the Supply Center in the morning and to take the same workers home at the end of the day. The service will be provided only on working days and will leave Irvington (the starting point) at 5:35 a.m. and arrive at the main gate of the Naval Supply Center at 6:45 a.m. The bus will leave the Center at 4:30 p.m. and arrive in Irvington at 5:30 p.m. The fares will be the same as in the present service from Concord to the Center

and only round-trip passengers will be carried. The equipment to be used in the proposed service is a 1954 Beck "Silver-side-Glass Top" 41-passenger bus. More equipment will be obtained if needed. The financial statement attached to the amended application discloses that applicant has total assets of \$43,000 and total liabilities of \$20,400.

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. A public hearing is not necessary.

The Commission concludes that the application should be granted as set forth in the order which follows.

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 Alfred H. Crooks, 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 particularly set forth in First Revised Page 1 and Original Page 2 of Appendix A, attached hereto and hereby made a part hereof, as an extension and enlargement of and consolidation with and subject to all the limitations and restrictions set forth in the certificate granted by Decision No. 70357.

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 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-A.

(e) Applicant shall maintain his 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 his 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 19th day of JULY, 1966.

President

Charles F. Grover

Fredrick B. Holcliff

Augustor

William La Bierre

Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

Appendix A
(Dec. 70357)

ALFRED H. CROOKS
doing business as
DACHSHOUND CHARTER LINES

First Revised Page 1
Cancels
Original Page 1

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

Alfred H. Crooks, doing business as Dachshound Charter Lines, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers by motor vehicle between the City of Concord and the Naval Supply Center in Oakland, and intermediate points, and between the City of Fremont and the Naval Supply Center, over the routes hereinafter described, subject to the following provisions:

Restrictions

- (a) Service shall be limited to passengers having point of origin or destination at the Naval Supply Center or the Oakland Army Terminal.
- (b) No passengers shall be picked up or discharged, on the Fremont Route, between the intersection of Fremont Boulevard and State Highway 17 (Nimitz Freeway) and the Oakland Army Terminal.
- (c) Service on the Fremont route shall be limited to a maximum of 2 daily bus round trips.

Issued by California Public Utilities Commission.

Changed by Decision No. 70984, Application No. 48351.

Section 2. ROUTE DESCRIPTIONS.

Concord Route

Commencing at the intersection of Willow Pass Road and Market Street, in the City of Concord, thence along Market Street, Port Chicago Highway, California Highway 21, California Highway 24, and appropriate county roads and city streets to the Oakland Army Terminal and to Gate 1 of the Naval Supply Center.

Fremont Route

Commencing at the intersection of Fremont Boulevard and Washington Boulevard, in the City of Fremont, thence along Fremont Boulevard, State Highway 17 (Nimitz Freeway) and appropriate county roads and city streets to the Oakland Army Terminal and to Gate 1 of the Naval Supply Center.

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