

**ORIGINAL**

Decision No. 71506

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
BASE C. FEREBEE and DENNIS K. HARTMAN  
for certificate of Public convenience  
and necessity to operate a passenger  
and baggage service between the Town  
of Mammoth Lakes and the Mammoth Mt.  
Ski Lift.

Application No. 48827

O P I N I O N

Base C. Ferebee and Dennis K. Hartman request authority to operate a passenger stage service between Mammoth Lakes and Mammoth Mt. Ski Lift, including all intermediate points.

The proposed service would be seasonal, commencing the first of November and continuing to the first of May. Applicants propose a one-way fare of 50 cents for adults and 25 cents for children with a proposed round-trip fare of 75 cents for adults and 35 cents for children. Applicants have recently purchased a 1967 model, 60-passenger bus. As of June 30, 1966 applicant Ferebee indicated a net worth in the amount of \$244,201.

It is alleged that because of poor parking conditions in the vicinity of the ski lift, skiers are required to walk three miles after parking their cars. It is further alleged that the proposed operation will provide a much needed service to a community which is rapidly becoming one of the major ski resorts in the United States.

There is no passenger stage service available in the area sought to be served.

After consideration the Commission finds that public convenience and necessity require the granting of the application. A public hearing is not necessary.

Base C. Ferebee and Dennis K. Hartman 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 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 Base C. Ferebee and Dennis K. Hartman, individuals, 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 particularly set forth in Appendix A attached hereto and made a part hereof.
2. In providing service pursuant to the certificate herein granted, applicants shall comply with and observe the following service regulations:
  - (a) Within thirty days after the effective date hereof, applicants shall file a written acceptance of the certificate herein granted. Applicants are placed on notice that, if they accept the certificate of public convenience and necessity herein granted, they 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, applicants 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) Applicants shall maintain their 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 their 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 1st day of NOVEMBER, 1966

[Signature]  
President

[Signature]

[Signature]

[Signature]

[Signature]  
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. **71506**  
dated Nov. 1, 1966, of the Public Utilities Commission  
of the State of California, in Application No. 48827.

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

Base C. Ferebee and Dennis K. Hartman, by the certificate of public convenience and necessity granted by the decision noted in the margin, are authorized to transport passengers and ski equipment between the town of Mammoth Lakes and the Mammoth Mt. Ski Lift and intermediate points over the route hereinafter described, subject to the following conditions and restrictions:

- (a) Motor vehicles may be turned at termini and 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) Scheduled service shall be operated daily between November 1 and May 1 when the Mammoth Mountain Ski Lift is in operation.

SECTION 2. ROUTE DESCRIPTION

Commencing at the Alpenrose Lodge, in the town of Old Mammoth thence along Forest Development Road 3510, Old Mammoth Road, State Highway No. 112 and Minaret Summit Road to the Mammoth Mountain Ski Lift.

Issued by California Public Utilities Commission.

Decision No. 71506, Application No. 48927.