

ORIGINAL

Decision No. 72061

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of WILLIAM D. JACKSON and THOMAS)
R. HOLLIDA, doing business as)
AUTO BUS COMPANY 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)
WILLIAM D. JACKSON.)

Application No. 48976
Filed November 25, 1966
and Amendment
Filed February 8, 1967

O P I N I O N

This is an application for an order of the Commission authorizing Thomas R. Hollida to sell and transfer his interest in a passenger stage corporation certificate of public convenience and necessity, together with related assets, to William D. Jackson, and authorizing the latter to assume certain liabilities and obligations.

Thomas R. Hollida and William D. Jackson, copartners doing business as Auto Bus Company, conduct business as a passenger stage corporation pursuant to the certificate of public convenience and necessity granted by Decision No. 69200, dated June 8, 1965, in Application No. 47526. Said certificate authorizes the transportation of passengers between the City of Oxnard and specified farm labor camps in the vicinity thereof.

The application, as amended, shows that Thomas R. Hollida desires to retire from the business and that he has agreed to sell and transfer his interest in the certificate

of public convenience and necessity and related assets to William D. Jackson for the sum of \$4,000 cash. The latter proposes to assume payment of certain liabilities connected with the business and to continue operations as an individual.

The Commission has considered this matter and finds that the proposed transactions will not be adverse to the public interest. On the basis of this finding we conclude that the application, as amended, should be granted. The action taken herein shall not be construed as a finding of value of the properties to be transferred.

The order which follows will provide for, in the event the transfer is consummated, the revocation of the certificate presently held by Thomas R. Hollida and William D. Jackson, and the issuance of a certificate to William D. Jackson, doing business as Auto Bus Company.

William D. Jackson 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. On or before July 31, 1967, Thomas R. Hollida may sell and transfer, and William D. Jackson may purchase and acquire, the former's interest in the passenger stage corporation certificate of public convenience and necessity and other assets referred to in this proceeding.

2. William D. Jackson, in acquiring said certificate and other assets, may assume the liabilities of the business known as Auto Bus Company.

3. For accounting purposes the transactions herein authorized may be made effective as of May 1, 1966.

4. Within thirty days after consummation of the transfer herein authorized, 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.

5. William D. Jackson shall amend or reissue the tariffs and timetables on file with the Commission, naming rates and rules governing the passenger stage operations herein to show that Thomas R. Hollida and William D. Jackson have withdrawn or canceled, and William D. Jackson has adopted or established, as his own, said rates and rules. The tariff and timetable filings shall be made effective not earlier than ten days after the 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-A.

6. In the event the transfer authorized in paragraph 1 hereof is consummated, a certificate of public convenience and necessity is granted to William D. Jackson 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 Appendix A attached hereto and made a part hereof.

7. The certificate of public convenience and necessity granted in paragraph 6 of this order shall supersede the certificate of public convenience and necessity granted by Decision No. 69200, which certificate shall be revoked effective concurrently with the effective date of the tariff filings required by paragraph 5 hereof.

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

- a. Within thirty days after the date hereof, William D. Jackson shall file a written acceptance of the certificate herein granted. William D. Jackson 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. William D. Jackson 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.

9. The effective date of this order is the date hereof.

Dated at San Francisco, California, this

28th day of FEBRUARY, 1967.

President

William L. Bennett

William Spence

Paul P. Morrison

Commissioners

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

Commissioner A. W. Catov, being necessarily absent, did not participate in the disposition of this proceeding.

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. 72061
dated Feb. 28, 1967, of the Public Utilities
Commission of the State of California, on Application No. 48976.

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS AND SPECIFICATIONS

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. 72061, Application No. 48976.

SECTION 2.

ROUTE DESCRIPTIONS

Subject to the authority of this Commission to change or modify such at any time, William D. Jackson, doing business as Auto Bus Company, shall conduct his passenger stage operations over and along the following described routes:

- (1) Campo Pacifico, Campo Buena Vista and Campo 3-S, along Oxnard Boulevard and 5th Street.
- (2) Campo Garcia, 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, Santa Clara Avenue, Los Angeles Avenue, Telephone 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 Loma, along Oxnard Boulevard, 5th Street, Rice Road, Santa Clara Avenue, Los Angeles Avenue and Bradley Road.
- (8) Campo Camarillo, along Oxnard Boulevard, 5th Street and Lewis Road.

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