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Decision No. 72909

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of DESERT TRANSFER &
STORAGE, doing business as DESERT
TRANSIT COMPANY, for a Certificate
of Public Convenience and Necessity
to operate as a Passenger Stage
Corporation.

Application No. 49511
(Filed June 30, 1967)

O P I N I O N

Desert Transfer & Storage requests authority to operate a passenger stage service for the transportation of passengers, baggage and express, not to exceed 100 pounds, between Indio, Riverside County, on the one hand, and Eagle Mountain, Riverside County, on the other hand.

Applicant proposes to purchase two 50-passenger GMC buses valued at \$10,000. Three schedules would be operated daily, except Sundays and holidays, at a one-way fare of \$1.00. No service would be provided to intermediate points. For the first six months of 1966, applicant realized a net profit of \$5,116 from its operations conducted as a permitted carrier.

It is alleged that Kaiser Steel Company is operating an iron ore mine at Eagle Mountain and employs numerous workers who reside in the vicinity of Indio; there is no existing passenger service between the proposed points and many of the employees have requested applicant to establish the proposed service.

Attached to the application are copies of letters from Kaiser Steel Company and the Indio Chamber of Commerce in support of applicant. Also attached to the application is a copy of a letter from Western Greyhound Lines indicating that it has no objection to the application.

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

Desert Transfer & Storage 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 Desert Transfer & Storage, a corporation, authorizing it 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, 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 it accepts the certificate of public convenience and necessity herein granted, it 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 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

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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. 72909,
dated Aug. 15, 1967, of the Public Utilities
Commission of the State of California, in Application No. 49511.

Section 1. General Authorizations, Restrictions,
Limitations, and Specifications.

Desert Transfer & Storage, doing business as Desert Transit Company, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers, baggage and express between Indio, on the one hand, and between Eagle Mountain, on the other hand, over and along the route hereinafter described, subject to the following provisions and restrictions:

- (a) Motor vehicles may be turned at terminal 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) All passengers shall originate from or be destined to Eagle Mountain or the City of Indio.
- (d) Baggage and express shall be transported in passenger-carrying vehicles only, and limited to weight of not more than 100 pounds per shipment.
- (e) The conditions under which the "on call" service is to be rendered shall be shown in the applicant's tariff and timetable.

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Section 2. Route Description

Subject to the authority of this Commission to change or modify said passenger operations at any time, applicant shall conduct said operation over and along the following route:

Commencing at any point within the City of Indio, thence along U.S. Highway 60 to its junction with an unnamed county road near Desert Center, thence along said county road to Eagle Mountain.

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