

ORIGINAL

Decision No. 73375

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of MATHEW MIKULAS)
and JUNE MIKULAS, doing business)
as J & M TRANSPORTATION SERVICE,)
for a certificate of public)
convenience and necessity to)
operate as a passenger stage)
corporation.)

Application No. 49678
(Filed September 20, 1967)

O P I N I O N

Applicants Mathew Mikulas and June Mikulas, doing business as J & M Transportation Service, request authority to operate as a passenger stage corporation between and within the cities of Yuba City and Marysville. There are no protests.

The application alleges that local bus transportation between and within said cities was abandoned in the fall of 1964 and that there has been no local bus transportation since that time. It is further alleged that at the present time Yuba City and Marysville each has a population of approximately 15,000 people and approximately 20,000 people reside in the unincorporated area surrounding the two cities and that travel from outlying areas into the downtown commercial areas is solely by privately owned passenger automobiles.

Applicants propose to establish two types of service within and between the two cities, namely a commuter service and a shopper service. The commuter service will consist of two 40-minute trips commencing at 7:25 a.m. and 3:05 a.m. The shopper service will consist of twelve trips commencing at 8:45 a.m. and ending at 6:45 p.m. Each trip will take approximately 45 minutes. The basic fare will be 25 cents. Fares for school children will

be 15 cents. A special fare of 75 cents will be available after 10:00 a.m. and will be good for the entire day.

Applicants have two 30-passenger G.M.C. buses and one 72-passenger Gillig bus available for the proposed service. Their net worth is approximately \$39,000. The application is supported by the Boards of Supervisors of Sutter and Yuba Counties.

The Commission having considered the matter finds that public convenience and necessity require that the proposed service be authorized. A public hearing is not necessary.

Applicants 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 Mathew Mikulas and June Mikulas, doing business as J & M Transportation Service, 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. Failure so to do may result in a cancellation of the operating authority granted by this decision.

- (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.
- (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 21st day of NOVEMBER, 1967.

[Signature]
President

[Signature]
[Signature]
[Signature]
Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.

