

**ORIGINAL**Decision No. 73894

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Horace Simmons,  
doing business as VACA VALLEY  
BUS LINE, for a certificate to  
extend passenger, baggage and  
express service between Suisun  
and Rio Vista, Solano County,  
California.

Application No. 49923  
(Filed January 4, 1968)

O P I N I O N

Horace Simmons, doing business as Vaca Valley Bus Lines, is engaged in passenger stage operations in the general area about Vacaville, Fairfield and Travis Air Force Base between points and over routes described in Appendix A of Decision No. 65585, dated June 18, 1963, in Application No. 45489. He here seeks authority to extend passenger, baggage and express service to Rio Vista via certain routes. Copies of the application were served in accordance with the Commission's procedural rules. Notice of the filing of the application appeared on the Commission's Daily Calendar on January 5, 1968. No protest to the granting of the application has been received.

Applicant proposes to operate two round trips per day, five days per week, with no service operated on Saturdays, Sundays or holidays, between Fairfield, Travis Air Force Base and Rio Vista. Additional service will be operated if required. He proposes a one-way fare of 75 cents between Fairfield and Rio Vista with lesser fares to intermediate points. Round trip fares will be 180 percent of the one-way fare and fares for children, ages 5 through 11, shall be 50 percent of the adult one-way fare. Proposed express rates are on a graduated scale from 90 cents for shipments not over 2 pounds to \$1.40 for shipments over 90 but not over 100 pounds.

Applicant asserts that there are no passenger stages, railroads or electric railroads engaged in transporting passengers, baggage or express between the points proposed to be served. The application asserts that the following conditions evidence the need for the proposed service:

- a. Applicant has been petitioned by residents of Rio Vista for service between Rio Vista and Fairfield. This will provide connections for service into San Francisco Bay Area points without the need of travelling into Stockton or Sacramento, as at present.
- b. A number of Rio Vista residents are employed as civilian employees and as enlisted military personnel stationed at Travis Air Force Base. Many are in need of transportation and requests have been received from such groups.
- c. From time to time applicant has received requests for service to and from the California Railroad Museum, located midway between Rio Vista and Suisun, on Highway No. 12, along the proposed route. Applicant believes that this will become a major tourist attraction in the future.
- d. Auto parts houses, and other users of package express services, have at various times requested package express service to Rio Vista, without having to ship to either Sacramento or Stockton.

We find that public convenience and necessity require the transportation service proposed by applicant. We conclude the application should be granted and that a public hearing is not necessary.

Horace Simmons, doing business as Vaca Valley Bus Lines, 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 Horace Simmons, an individual, authorizing him to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between Suisun and Rio Vista and between Travis Air Force Base and Rio Vista via the routes set forth in the revised pages to Appendix A, attached hereto and made a part hereof, as an extension and enlargement of the certificate granted in Decision No. 65585 in Application No. 45489.

2. Appendix A of Decision No. 65585 is amended by incorporating therein First Revised Page 1 in revision of Original Page 1 and First Revised Page 2 in revision of Original Page 2.

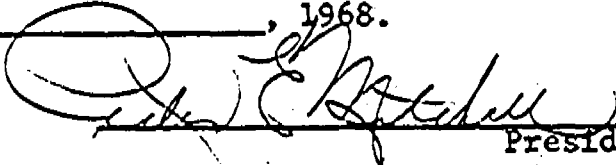
3. In providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations. Failure so to do may result in a cancellation of the operating authority granted by this decision.

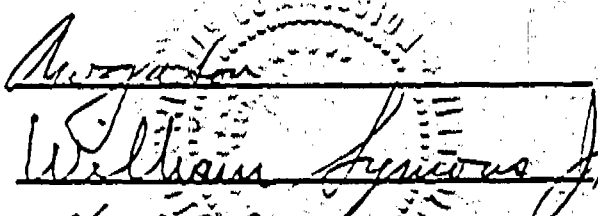
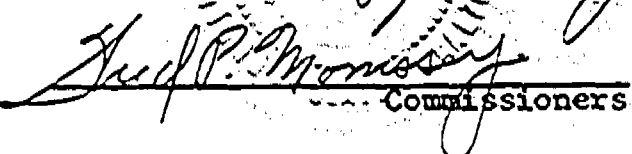
- (a) Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted. Applicant is placed on notice that, if he accepts the certificate of public convenience and necessity herein granted, he will be required, among other things, to comply 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.

- (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 twenty days after the date hereof.

Dated at Los Angeles, California, this 26<sup>th</sup> day of MARCH, 1968.

  
President

  
  
Commissioners

APPENDIX A  
(Dec. 65585)

HORACE SIMMONS  
doing business as  
VACA VALLEY BUS LINES

First Revised Page 1  
Cancels  
Original Page 1

Section 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS  
AND SPECIFICATIONS

The certificate hereinafter noted supersedes all operative authority heretofore granted to Horace Simmons, or his predecessors.

Horace Simmons, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers, their baggage and shipments of express weighing 100 pounds or less on passenger carrying vehicles only, between (1) Fairfield and Travis Air Force Base, (2) Fairfield and Suisun, (3) Vacaville and Travis Air Force Base, (4) Travis Air Force Base and Parks Air Force Base, (5) Suisun and Rio Vista, (6) Travis Air Force Base and Rio Vista, and certain territories intermediate and adjacent thereto, over and along the routes hereinafter described, subject, however, to the authority of this Commission to change or modify said routes at any time and subject to the following provisions:

- (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) No service shall be rendered to, from or between intermediate points from Travis Air Force Base to Parks Air Force Base.
- (d) No service shall be provided between the cities of Vacaville and Fairfield.

Issued by California Public Utilities Commission.

73894

Revised by Decision No. \_\_\_\_\_, Application No. 49923.

APPENDIX A  
(Dec. 65585)

HORACE SIMMONS  
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Section 2. ROUTE DESCRIPTIONS.

Route No. 1, Fairfield to Travis Air Force Base

From Fairfield over North Texas Road and Travis Access Road to Travis Air Force Base.

Route No. 2, Fairfield to Suisun

From Fairfield over Union Avenue to Suisun.

Route No. 3, Vacaville to Travis Air Force Base

From Vacaville over Davis Road, Peabody Road, and Travis Access Road to Travis Air Force Base.

Route No. 4, Travis Air Force Base to Parks Air Force Base

From Travis Air Force Base over Travis Access Road, U. S. Highway 40, State Highway 21, U. S. Highway 50 to Parks Air Force Base.

ALTERNATE ROUTE: Route No. 4, Travis Air Force Base to Parks Air Force Base

From Travis Air Force Base over Travis Access Road, U. S. Highway 40, State Highway 4, State Highway 21, U. S. Highway 50 to Parks Air Force Base.

Route No. 5, Suisun to Rio Vista

From Suisun via State Highway 12 to Rio Vista.

Route No. 6, Travis Air Force Base to Rio Vista

From Travis Air Force Base via Air Base Parkway (formerly designated Travis Access Road), Walters Road, Scandia Road and State Highway 12 to Rio Vista.

Issued by California Public Utilities Commission.

Revised by Decision No. 73894, Application No. 49923.