

ORIGINAL

Decision No. 74268

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
SQUIRREL ENTERPRISE, INC.
For a certificate of public convenience
and necessity to operate a Sightseeing
Passenger Stage Service within the
County of Humboldt, California.

Application No. 50199
(Filed May 1, 1968)

O P I N I O N

Applicant requests a certificate of public convenience and necessity to establish and operate a sightseeing service under Section 1031 et seq. of the Public Utilities Code for the transportation of passengers between the Hartsook Inn, Benbow Inn and Richardson Grove State Park, on the one hand, and various points of historic and general interest, on the other hand, all within Humboldt County. The service proposed will be operated under the name of "The Squirrel".

Applicant proposes service three times per week, Monday, Wednesday and Friday.

The application was listed on the Commission's Daily Calendar of May 1, 1968.

There were no protests to the application.

A statement of applicant's financial condition as shown by Exhibit E attached to the application indicates a net worth of \$19,480.00.

Based upon the allegations and exhibits in the verified application, the Commission finds as follows:

1. Public convenience and necessity require that the application be granted as set forth in the ensuing order.

2. Applicant has the financial resources to provide the service sought in the application.

3. Public hearing is not necessary.

As a consequence the Commission concludes that the application should be granted.

Applicant 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 Squirrel Enterprise, Inc. 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 more 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. 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 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.
- (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 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) 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 before March 31 of each year, an annual report of its 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 18th day of JUNE, 1968.

[Signature]
President

[Signature]
William Linnous, Jr.
Geoff P. Morrissey
Commissioners

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

SECTION 1. GENERAL AUTHORIZATIONS

Squirrel Enterprise, Inc., by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers for sightseeing purposes between Hartsook Inn, Benbow Inn, Richardson Grove State Park and Garberville, on the one hand, and various scenic points of interest in Humboldt County over the route hereinafter described subject to the following provisions:

1. All service herein authorized shall be limited to the transportation of round-trip passengers only, originating and terminating at the Hartsook Inn, Benbow Inn, Richardson Grove State Park or Garberville.
2. Service shall be operated triweekly during the months of June through September of each year.

SECTION 2. ROUTE DESCRIPTION:

Commencing at the Hartsook Inn, in Humboldt County, thence along U. S. Highway 101 to Richardson Grove State Park, Benbow Inn and Garberville, thence via Alderpoint Road through Redway, U. S. Highway 101; the Avenue of the Giants and U. S. Highway 101 to Scotia; returning via U. S. Highway 101 and Bull Creek Road to Rockefeller Grove and U. S. Highway 101 to the point of beginning.

Issued by California Public Utilities Commission.

Decision No. 74268, Application No. 50199.