

**ORIGINAL**

Decision No. 74417

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of GEORGE FRASCA, an individual,  
for a certificate of public  
convenience and necessity to  
operate a passenger stage service  
between points in San Fernando  
Valley on the one hand and  
Malibu Beach and Zuma Beach on  
the other hand.

Application No. 50156  
(Filed April 5, 1968)  
(Amended May 23, 1968)

O P I N I O N

George Frasca, an individual, requests authorization to institute and conduct operations as a passenger stage corporation for the transportation of passengers and their baggage between the intersection of Chatsworth Street and Zelzah Avenue, in the San Fernando Valley, City of Los Angeles, and Malibu and Zuma Beach, County of Los Angeles, traveling along Chatsworth Street, Reseda Boulevard, Sherman Way, Topanga Canyon Boulevard, and Pacific Coast Highway.

Applicant presently does not possess any authority to transport passengers within the State of California.

Applicant proposes two schedules in the morning - 8:00 a.m. and 10:00 a.m. to Zuma Beach, and two return schedules in the afternoon at 3:00 p.m. and 5:00 p.m. Fares for three

zones are proposed to Malibu Pier and Zuma Beach, and will amount to 45¢, 50¢, 55¢, and 60¢, with half fare for children under 12 years of age.

Applicant proposes to lease a 53-passenger Crown diesel bus to be used in said service, and has a commitment from M & M Charter Lines, Inc., to lease three buses, or more if needed, to render the service proposed herein.

Applicant alleges there presently exists no passenger stage service from the San Fernando Valley area to Malibu Beach and Zuma Beach, and that public convenience and necessity require the operation proposed by the applicant for the reason that many persons, particularly young teenagers, are interested in surfing and swimming at Malibu Beach and at Zuma Beach during the summer months, and there is no way for these persons to get to Malibu Beach and Zuma Beach from the San Fernando Valley by public transportation. Malibu Beach and Zuma Beach are public beaches and points where surfing is permitted. There is no similar recreation to be offered to these persons during the summer months in the San Fernando Valley. The only means of transportation presently available to them is by private automobile. Applicant alleges there is a definite need for this service during the summer months. Applicant therefore proposes to operate said service daily during the period from June 15 through September 10 each year. Because of the variance

in school vacations from year to year, applicant seeks authority to commence and terminate his operation each year either the week prior to or subsequent to June 15 and the week prior to or subsequent to September 10.

A financial statement attached to the application alleges applicant's total assets are valued at \$40,500.

The application alleges that copies have been sent to carriers and public agencies in the area.

No protests have been received.

The application was listed on the Commission's Daily Calendar of April 10, 1968.

After consideration, the Commission finds that:

1. Applicant possesses the experience, equipment, personnel, and financial resources to institute and maintain the proposed service.
2. Public convenience and necessity require that the application be granted as set forth in the ensuing order.

A public hearing is not necessary.

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 hereby granted to George Frasca, 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.

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 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 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 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 the date hereof.

Dated at San Francisco, California, this 16<sup>th</sup>  
day of JULY, 1968.

William Synovis, Jr.  
President  
William B. Bennett  
Augusta  
David P. Monissey  
Commissioners

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

BR/ds \*

Appendix A

GEORGE FRASCA

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CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY

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Showing passenger stage operative rights, restrictions, limitations, exceptions, and privileges applicable thereto.

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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.

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Issued under authority of Decision No. 74417  
dated July 16, 1968, of the Public Utilities  
Commission of the State of California, in Application  
No. 50156.

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,  
AND SPECIFICATIONS.

George Frasca, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage between the San Fernando Valley area of the City of Los Angeles and Malibu Pier or Zuma Beach in the County of Los Angeles, serving the termini and intermediate points along the route hereinafter described, subject to the following conditions and restrictions:

- 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. Service shall be limited to the transportation of passengers and their baggage destined to or originating at Malibu Pier or Zuma Beach. No passengers shall be transported whose origin and destination are both between Zuma Beach and the intersection of Pacific Coast Highway and Topanga Canyon Boulevard, both points inclusive, including intermediate points.
- d. Operations shall be conducted each year during the summer season only.

Issued by California Public Utilities Commission.

Decision No. 74417, Application No. 50156.

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Appendix A

GEORGE FRASCA

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SECTION 2. REGULAR SERVICE - ROUTE DESCRIPTIONS

ROUTE NO. 1

Beginning at the intersection of Chatsworth Street and Zelzah Avenue, City of Los Angeles, thence via Chatsworth Street, Reseda Boulevard, Sherman Way, Topanga Canyon Boulevard, and Pacific Coast Highway to Zuma Beach, County of Los Angeles.

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