

Mjo

Decision No. 74527

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of FREDERICK CLARENCE QUICK for)
certificate of public convenience)
and necessity to operate a)
passenger service between Auburn)
and Foresthill and Auburn and)
Georgetown.)

Application No. 50207
(Filed May 1, 1968)

O P I N I O N

Applicant seeks a certificate authorizing the operation of a passenger stage service between Auburn and Foresthill and Auburn and Georgetown, and intermediate points over the following routes: (1) Highway 49 from Auburn to Cool, then Highway 193 from Cool to Georgetown; and (2) via the Auburn-Foresthill Road between Auburn and Foresthill. Applicant proposes to provide two round trips daily via each route.

Applicant states that he has been informed by businessmen and chambers of commerce in the areas involved that the proposed passenger stage service is needed and is desired by the communities. The fares proposed to be charged are set forth in the application and are based upon ten cents per mile.

Applicant has a 1964 model Chevrolet 9-passenger bus which he intends to use in providing the proposed service. A financial statement is attached to the application, marked Exhibit "E", showing that as of April 18, 1968, applicant had assets of \$23,200 and liabilities of \$16,115. Applicant has had seven years' experience driving taxicabs and private buses in the area here involved.

There presently is no passenger stage service between the points or over the routes involved herein. Notice of the filing of the application appeared in the Commission's Daily Calendar. No protest has been received.

Applicant possesses the experience, equipment and financial resources to institute and maintain the proposed service. Public convenience and necessity require the proposed passenger stage service. A public hearing is not necessary.

Frederick Clarence Quick 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 Frederick Clarence Quick 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 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 San Francisco, California, this 13th day of AUGUST, 1968.

William Symons, Jr.
President
[Signature]
[Signature]
Commissioners

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

Commissioner Fred P. Morrissey, being necessarily absent, did not participate in the disposition of this proceeding.

Frederick Clarence Quick, doing business as Quick's Stage Service, 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 Auburn, on the one hand, and Foresthill and Georgetown, on the other hand, and intermediate points over the routes hereinafter described:

Auburn-Foresthill Route

Via the Auburn-Foresthill Road.

Auburn-Georgetown Route

Via Highway 49 between Auburn and Cool and via Highway 193 between Cool and Georgetown.

Issued by California Public Utilities Commission.

Decision No. 74527, Application No. 50207.