

ORIGINAL

Decision No. 76201

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of M. M. DELP, an individual, dba)
BUD'S LIMOUSINE SERVICE, and of)
M. M. DELP and VAHID SAPIR, Indi-)
vidually, and dba BUD'S LIMOUSINE)
SERVICE, a Partnership, to trans-)
fer a Certificate of Public Con-)
venience and Necessity and assets)
of M. M. DELP, an Individual, dba)
BUD'S LIMOUSINE SERVICE.)

Application No. 51271
(Filed July 23, 1969)

O P I N I O N

M. M. Delp, doing business as Bud's Limousine Service, requests authority to transfer and M. M. Delp and Vahid Sapir, individually and doing business as Bud's Limousine Service, a partnership, seek authority to acquire (1) a passenger stage certificate for sightseeing operations (Decision No. 69395 dated July 13, 1965 in Application No. 47586), and (2) the limousine used in performing the service.

The parties propose to execute an agreement, subject to the authorization by this Commission, pursuant to which Vahid Sapir will pay M. M. Delp the sum of \$5,000.00 and M. M. Delp will transfer to Vahid Sapir a one-half interest in the certificate of public convenience and necessity evidenced by the above decision and a one-half interest in the 1955 Cadillac sedan (California License No. W 61292) used by M. M. Delp in rendering the service (Exhibit A on the application).

The parties have executed a general partnership agreement to carry on the business under the name of Bud's Limousine Service (Exhibit B on the application).

It is alleged that the partnership will continue to provide the service now provided by M. M. Delp.

After consideration the Commission finds that the proposed transfers would not be adverse to the public interest. A public hearing is not necessary. The order which follows will provide for the revocation of the certificate presently held by M. M. Delp and the issuance of a certificate in appendix form to M. M. Delp and Vahid Sapir, in the event the transfer is consummated.

M. M. Delp and Vahid Sapir 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. On or before January 5, 1970, M. M. Delp may sell and transfer, and M. M. Delp and Vahid Sapir may purchase and acquire, the operative rights and property referred to in the application.

2. Within thirty days after the consummation of the transfer herein authorized, M. M. Delp and Vahid Sapir shall notify the Commission, in writing, of that fact and within said period shall file with the Commission a true copy of any bill of sale or other instrument of transfer which may be executed to effect said transfer.

3. M. M. Delp and Vahid Sapir shall amend or reissue the tariffs and timetables on file with the Commission naming rates and rules governing the common carrier operations herein to show that they have adopted or established, as their own, said rates and rules. 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 consummation of the transfer herein authorized. The tariff and timetable filings made pursuant to this order shall comply in all respects 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. Failure to comply with and observe

the provisions of General Orders Nos. 79 and 98-A may result in a cancellation of the operating authority granted by this decision.

4. On or before the end of the third month after the consummation of the transfer as herein authorized M. M. Delp and Vahid Sapir shall cause to be filed with the Commission, in such form as the Commission may prescribe, an annual report, or reports, related to the operations of the seller for the period commencing with the first day of the current year to and including the effective date of the transfer.

5. In the event the transfer authorized by paragraph 1 hereof is consummated a certificate of public convenience and necessity is granted to M. M. Delp and Vahid Sapir, 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.

6. The certificate of public convenience and necessity granted in paragraph 5 of this order shall supersede the certificate of public convenience and necessity granted by Decision No. 69395 which certificate is revoked concurrently with the effective date of tariff filings required by paragraph 3 hereof.

7. Within thirty days after the effective date hereof, M. M. Delp and Vahid Sapir shall file a written acceptance of the certificate, the transfer of which is herein authorized. Purchasers are placed on notice that, if they accept such certificate, they will be required, among other things, to

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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-C.

8. M. M. Delp and Vahid Sapir 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 twenty days after the date hereof.

Dated at San Francisco, California, this 23rd
day of SEPTEMBER, 1969.

Augustine
President
J. B. Brown
Thomas A. Brown
William L. Stinson
Commissioners

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

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY

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

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.

Issued under authority of Decision No. 76201
dated Sept. 23, 1969 of the Public Utilities Commission of
the State of California, on Application No. 51271.

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

M. M. Delp and Vahid Sapir, a partnership, by the certificate of public convenience and necessity granted by the decision noted in the margin, are authorized to transport passengers for sightseeing purposes commencing at 6933 Hollywood Boulevard, through certain sections of the County of Los Angeles and the Cities of Los Angeles and Beverly Hills, and returning to 6933 Hollywood Boulevard, over and along the route hereinafter described, subject to the following conditions and restrictions:

- (a) When route descriptions are given in one direction they apply to operations in either direction unless otherwise indicated.
- (b) Service shall be limited to the transportation of round-trip passengers, originating at 6933 Hollywood Boulevard only.
- (c) Limousine type vehicles, not exceeding seven passenger capacity, exclusive of driver, shall be operated.
- (d) Service shall be operated on a regular scheduled basis, subject to a minimum of three adult passengers.

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Decision No. 76201, Application No. 51271.

SECTION 2. ROUTE DESCRIPTION

Subject to the authority of this Commission to change or modify such at any time, M. M. Delp and Vahid Sapir, a partnership shall conduct said sightseeing passenger stage operations over and along the following described route:

Commencing at 6933 Hollywood Boulevard, Hollywood, City of Los Angeles, California; thence along Hollywood Boulevard, La Brea Avenue, Franklin Avenue, Sierra Bonita Avenue, Hollywood Boulevard, Laurel Avenue, Sunset Boulevard, Doheny Road, Loma Vista Drive, Mountain Drive, Sunset Boulevard, Foothill Road, Elevado Avenue, Maple Drive, Carmelita Avenue, Elm Drive, Elevado Avenue, Crescent Drive, Lomitas Avenue, Beverly Drive, Santa Monica Boulevard, Walden Drive, Elevado Avenue, Trenton Drive, Wilshire Boulevard, Santa Monica Boulevard, Westwood Boulevard, LeConte, Hillgard Avenue, Sunset Boulevard, Mapleton Drive, Club View Drive, Beverly Glen Boulevard, St. Pierre Road, Parkwood Drive, North Faring Road, Brooklawn Drive, Carolwood Drive, Monovale Drive, Whittier Drive, Lexington Road, Roxbury Drive, Lexington Road, Beverly Drive, Sunset Boulevard, Holloway Drive, Santa Monica Boulevard, LaBrea Avenue, Hollywood Boulevard, to the point and place of beginning.

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