

Decision No. 76249

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application)
of SAMUEL KEITH LANEY, dba Victor)
Valley Passenger Service, for)
certificate of public convenience)
and necessity to operate passenger)
stage service for the transportation)
of passengers and their baggage)
between the Victor Valley Area and)
Ontario International Airport, in)
San Bernardino County, California.)

Application No. 51288
(Filed July 30, 1969)

OPINION AND ORDER

Samuel Keith Laney requested a certificate of public convenience and necessity as a passenger stage corporation for transportation of passengers, their baggage, and shipments of express on passenger carrying vehicles between a territory known as the Victor Valley area on the one hand, and Ontario International Airport on the other hand, subject to a restriction against service to and from intermediate points.

Applicant owns and will use two station wagons in the performance of the proposed service.

Applicant proposes four regular schedules in each direction; the first one leaving the Victor Valley area at 6:30 A.M. and the last one departing the Ontario International Airport at 9:00 A.M. and arriving at Victor Valley at 10:20 A.M. He also proposes to render non-scheduled on-call service for a minimum of two adult fares.

The proposed fares and charges are as follows:

	<u>Between Victor Valley Area and Ontario Interna- tional Airport</u>
Adult one-way fare	\$8.00
Child's one-way fare (for children five years of age, but under twelve)	4.00
Child under five years of age (not occupying seat to the exclusion of other passengers)	free
Baggage to be transported free when accompanying passenger.	
Baggage to be transported WITHOUT accompanying passenger	5.00

Applicant's current assets are valued at \$42,530 and his total liabilities are stated to be \$24,023.

Applicant's reasons for applying for the certificate are that as of July 1, 1969, Aero-Commuter ceased airline service to the Victor Valley area, leaving no convenient means of making connections with any major airport, the nearest being Ontario International Airport; that he began receiving calls for transportation from people who had business reasons for coming to this area; and that having the necessary equipment, and understanding the needs of the area, he will provide service to the satisfaction of the area and the Public Utilities Commission.

The only competing carriers, Western Greyhound Lines and Continental Trailways, Inc., were served with a copy of the application. The application was listed on the Commission's Dail Calendar on August 1, 1969. No objections have been raised.

Findings

The Commission finds that:

1. Applicant possesses the necessary equipment, personnel, and financial resources to institute and maintain the proposed service.

2. Public convenience and necessity require that the application be granted as provided in the order that follows.

3. A public hearing is not necessary.

The Commission concludes that a hearing is not required and that the application should be granted.

Samuel Keith Laney 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 Samuel Keith Laney 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-C.
- 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 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 twenty days after the date hereof.

Dated at San Francisco, California, this 3rd day of SEPTEMBER, 1969.

William S. Squires, Jr.
President

J. B. [illegible]

[illegible]

Samuel L. Stinson
Commissioners

Commissioner A. W. Gatov, 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 hereto.

Issued under authority of Decision No. 76249,
dated Sept. 30, 1969, of the Public Utilities
Commission of the State of California, in Application
No. 51288.

Samuel Keith Laney, by certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers and baggage between the Victor Valley Area and Ontario International Airport in San Bernardino County over and along the route as described hereinafter, subject to the following conditions and restrictions:

1. Passengers or baggage shall be transported only between points within the Victor Valley Area, on the one hand, and Ontario International Airport, on the other hand. No passengers or baggage shall be picked up or discharged at points intermediate to the Victor Valley Area and Ontario International Airport.
2. Motor vehicles may be turned at termini or 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.
3. When route descriptions are given in one direction, they apply to operation in either direction, unless otherwise indicated.

Issued by California Public Utilities Commission.

Decision No. 76249, Application No. 51288.

Subject to the authority of this Commission to change or modify said passenger stage operations at any given time, Samuel Keith Laney, shall conduct said operations over and along the following route:

From points in Victor Valley Area, thence via Interstate Highway 15 and Interstate Highway 10 to Ontario Off-ramp, thence Vineyard Avenue to Ontario International Airport. Return via reverse of going route.

Victor Valley Area is defined as follows:

Bear Valley Road on the south; El Mirage Road on the north; Highway 395 on the west; and Central Road on the east.

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