

ORIGINAL

Decision No. 76548

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of HENDERSON CENTER CAB)
 COMPANY, a corporation, doing busi-)
 ness as Yellow Cab Co., to operate)
 a bus service between Eureka and)
 the College of the Redwoods,)
 Beatrice, and between Eureka and)
 Ferndale on an on-call basis.)

Application No. 51287
 (Filed July 31, 1969)

O P I N I O N

Applicant has a charter-party carrier of passengers permit issued on August 4, 1966 and a radial highway common carrier permit issued on March 27, 1962. It has applied herein for authority to operate an "on call" service for a minimum of six passengers on each schedule. The Eureka to College of the Redwoods fare will be \$1 each way, with no round trip fare. The fare from Eureka to Ferndale will be \$2 each way, with no round trip fare. There will be no service on Saturdays, Sundays or holidays. The route from Eureka to the College of the Redwoods in Beatrice is 9.2 miles; the return to downtown Eureka over a slightly different route is 8.8 miles. The Eureka-Ferndale route is 19 miles in either direction. Applicant will provide the service described with a 1966 9-passenger Checker limousine and two 1969 Ford Econoline 12-passenger buses. Applicant's balance sheet for the 12 months ending on April 30, 1969 reveals an income of \$280,809.85 and operating expense of \$281,712.32, with a loss of \$902.47 for the period. A profit of \$10,169.90 resulted from the previous year's operation and applicant had retained earnings of \$9,267.43 on April 30, 1969.

It is alleged that applicant has received numerous requests to provide the proposed service; that students need transportation from town to the college on a daily basis and that the Chamber of Commerce of Ferndale has requested on-call service during the Art Festival and the County Fair. Applicant has mailed copies of the application to the two passenger stage corporations operating in the Eureka area and the application was listed on the Commission's Daily Calendar of August 1, 1969. No protest has been received.

Upon consideration of the evidence the Commission finds as follows:

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.
3. Public hearing is not necessary.

Henderson Center Cab Company 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 Henderson Center Cab Company, a corporation, 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 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-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 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 twenty days after the date hereof.

Dated at San Francisco, California, this 16th
day of DECEMBER, 1969.

William Symons Jr.
President

Arthur J. [unclear]

[unclear]

James L. Stinson
Commissioners

Appendix A

HENDERSON CENTER CAB COMPANY
doing business as
Yellow Cab Company

Original Page 1

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. 76548, dated
December 16, 1969, of the Public Utilities Commission
of the State of California, on Application No. 51287.

Section 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS
AND SPECIFICATIONS

Henderson Center Cab Company, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage, on an on-call basis with a minimum of six passengers in order to run a schedule, over the routes shown in Section 2, and subject to the following conditions:

Conditions

- a. Direct service between Ferndale and the College of the Redwoods located at Beatrice is not authorized.
- b. Service on Route 1 shall be operated only on those days when the college is in session.

Issued by California Public Utilities Commission.

Decision No. 76548, Application No. 51287.

HENDERSON CENTER CAB COMPANY
doing business as
Yellow Cab Company

Original Page 3

Section 2. ROUTE DESCRIPTIONS

Route 1. EUREKA - COLLEGE OF THE REDWOODS LOCATED AT BEATRICE

Between Eureka on the one hand, and the College of the Redwoods located at Beatrice on the other hand over the following route: over appropriate city streets of the City of Eureka to Highway 101, south on Highway 101 to Tompkins Hill Road, southeast on Tompkins Hill Road to the College of the Redwoods. Return route, northwest on Tompkins Hill Road to Highway 101, north on Highway 101 to the City of Eureka, over appropriate city streets of the City of Eureka to station.

Route 2. EUREKA - FERNDALE

Between Eureka on the one hand, and Ferndale located 19 miles southwest of Eureka on the other hand over the following route: over appropriate city streets of the City of Eureka to Highway 101, south on Highway 101 to Fernbridge then southwest on Highway 1 to Ferndale. Return route, northeast on Highway 1 to Fernbridge, north on Highway 101 to the City of Eureka, over appropriate city streets to the City of Eureka to station.

Issued by California Public Utilities Commission.

Decision No. 76548, Application No. 51287.