

ORIGINAL

Decision No. 78899

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 AGNES G. ADAMS, Executrix of the)
 Estate of F. R. ADAMS, SR., indivi-)
 dually and doing business as ADAMS)
 CHARTER COACHES, Seller, and RICHARD)
 TWINING, Buyer, for Authorization to)
 transfer Certificate of Public Con-)
 venience and Necessity to Operate)
 Passenger Stage Services by and)
 between the Cities of Napa and)
 Vallejo, and the Mare Island Naval)
 Shipyard, located in Vallejo, Cali-)
 fornia.)

Application No. 52628
 (Filed May 20, 1971)

O P I N I O N

Agnes G. Adams as Executrix of the Estate of F. R. Adams, Sr., doing business as Adams Charter Coaches, requests authority to sell and transfer, and Richard Twining requests authority to purchase and acquire, certain property and a certificate of public convenience and necessity authorizing operations as a passenger stage corporation.

The certificate was granted by Decision No. 70674 in Application No. 48306 and authorizes the transportation of passengers between Napa and Mare Island Naval Shipyard and intermediate points. Service is limited to passengers destined to or originating from Mare Island Naval Shipyard. Included in the sale are seven buses as well as shop and garage equipment. The agreed consideration is \$22,773.92, payable as follows: \$4,250 in cash and the balance secured by a promissory note payable in monthly installments of \$250 with interest at the rate of 6 percent per annum on the unpaid balance.

Applicant purchaser has had several years experience in conducting for-hire operations in the transportation of passengers and as of April 30, 1971 indicated a net worth in the amount of \$147,274.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest and that the property to be procured or paid for by the issue of the indebtedness herein authorized is reasonably required for the purpose specified herein, and such purposes are not, in whole or in part, reasonably chargeable to operating expenses or to income. A public hearing is not necessary.

Richard Twining 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. On or before May 1, 1972, Agnes G. Adams may sell and transfer, and Richard Twining 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, purchaser 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. Purchaser 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 he has adopted or established, as his 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, purchaser 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 in paragraph 1 hereof is consummated, a certificate of public convenience and necessity is granted to Richard Twining, 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.

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. 70674, which certificate is revoked effective concurrently with the effective date of the tariff filings required by paragraph 3 hereof.

7. Within thirty days after the transfer herein authorized is consummated, purchaser shall file a written acceptance of the certificate herein granted. Purchaser 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

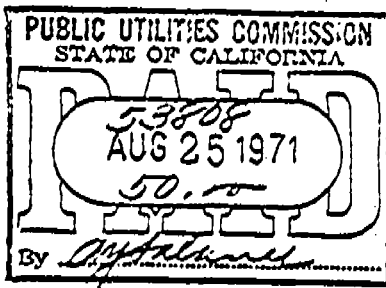
No. 98-A and insurance requirements of the Commission's General Order No. 101-C.

8. Purchaser 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.

9. Richard Twining is authorized to execute evidence of indebtedness in the amount of \$18,523.92.

The authority herein granted to issue a note will become effective when applicant has paid the fee prescribed by Section 1904(b) of the Public Utilities Code, which fee is \$50. In other respects the effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 13th day of JULY, 1971.



Chairman
William J. ...

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Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner D. W. Holmes, being necessarily absent, did not participate in the disposition of this proceeding.

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Appendix A

RICHARD TWINING
doing business as
ADAMS CHARTER COACHES

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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. 78899
dated July 19, 1971, of the Public Utilities
Commission of the State of California, on Application No. 52628.

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

The certificate hereinafter noted supersedes all operating authority heretofore granted to Adams Charter Coaches or its predecessors.

Richard Twining, doing business as Adams Charter Coaches, by a certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers on passenger-carrying vehicles between Napa including an area within three (3) air miles of the city limits of Napa, on the one hand, and Mare Island Naval Shipyard, on the other hand, over the routes hereinafter described, subject to the following provisions:

1. Only passengers destined to or originating at Mare Island Naval Shipyard and who are employed at that facility shall be transported.
2. Service will be operated only at times necessary to meet employee shift needs on regular working days.
3. Motor vehicles may be turned at termini or at intermediate points, in either direction and to be operated in accordance with governing traffic regulations.
4. 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. 78899, Application No. 52628.

Section 2. ROUTE DESCRIPTIONS.

Napa I

Commencing at the intersection of Claremont Way and Jefferson Street in the City of Napa; thence continuing along Jefferson Street to Sheridan Drive; thence along Sheridan Drive to Stuart Way; thence along Stuart Way, Summer Avenue and Scott Way to Sheridan Drive; thence along Sheridan Drive to Jefferson Street; thence along Jefferson Street to Pueblo Avenue; thence along Pueblo Avenue to Main Street; thence along Main Street to "H" Street; thence along "H" Street to Jefferson Street; thence along Jefferson Street to Oak Street; thence along Oak Street to Coombs Street; thence along Coombs Street to Spruce Street; thence along Spruce Street to South Franklin Street; thence along South Franklin Street to South Coombs Street; thence along South Coombs Street to Imola Avenue (State Highway Nos. 29, 12 and 121); thence along Imola Avenue to the junction of State Highway No. 121 with State Highway Nos. 29 and 12; thence along State Highway Nos. 29 and 12 (also known as Napa Road and/or Sonoma Boulevard) to the junction of State Highway No. 12 (also known as Jameson Canyon Road); thence continuing on State Highway No. 29 to the junction of State Highway No. 37 (also known as Sears Point Road); thence along State Highway No. 37 to the entrance of Mare Island Naval Shipyard known as "Northgate."

Section 2. ROUTE DESCRIPTIONS. (cont'd)

Napa II

Commencing at the intersection of Claremont Way and Trancas Road in the City of Napa; thence continuing southwesterly along Trancas Road to State Highway No. 29; thence northwesterly along State Highway No. 29 to Salvador Avenue; thence northeasterly along Salvador Avenue to Moffit Drive; thence northwesterly and northeasterly along Moffit Drive to Jefferson Street; thence southeasterly and southerly along Jefferson Street to Salvador Avenue; thence southwesterly along Salvador Avenue to State Highway No. 29; thence southeasterly along State Highway No. 29 to West Salvador Avenue; thence northeasterly along West Salvador Avenue to Byway East; thence southeasterly along Byway East to Wise Drive; thence northeasterly along Wise Drive to Lassen Street; thence southeasterly along Lassen Street to Trower Avenue; thence northeasterly along Trower Avenue to Diablo Street; thence southeasterly along Diablo Street to Sequoia Street; thence southwesterly and southeasterly along Sequoia Street to Yellowstone Street; thence northeasterly along Yellowstone Street to Diablo Street; thence southeasterly along Diablo Street to Tallac Street; thence northeasterly along Tallac Street to Jefferson Street; thence southeasterly along Jefferson Street to Trancas Street; thence northeasterly and easterly along Trancas Street to State Highway No. 121 (also known as Monticello Road); thence northerly and northeasterly along State Highway No. 121 to Vichy Avenue; thence southeasterly and southerly along Vichy Avenue to Hagen Road; thence westerly along Hagen Road to First Avenue; thence southerly and southeasterly along First Avenue to Coombsville Road; thence southwesterly and northwesterly along Coombsville Road to Hennessey Drive; thence westerly along Hennessey Drive to State Highway No. 121 (also known as Silverado Trail); thence southerly along State Highway No. 121 to the junction with Soscol Avenue; thence continuing southerly along State Highway No. 121 and Soscol Avenue to the junction of State Highway Nos. 29 and 12 (also known as Imola Avenue); thence continuing southerly along State Highway Nos. 29 and 12 (also known as Napa Road and/or Sonoma Boulevard) to the junction of State Highway No. 12 (also known as Jameson Canyon Road); thence continuing on State Highway No. 29 to the junction of State Highway No. 37 (also known as Sears Point Road); thence southwesterly along State Highway No. 37 to the entrance of Mare Island Naval Shipyard known as "Northgate."

Section 2. ROUTE DESCRIPTIONS. (cont'd)

Napa III

Commencing at the intersection of Claremont Way and Trancas Street in the City of Napa; thence continuing southwesterly along Trancas Street and Redwood Road to Carol Drive; thence southeasterly along Carol Drive to Delpha Drive; thence northeasterly, northerly and northeasterly along Delpha Drive to Solano Avenue; thence southeasterly along Solano Avenue to Lincoln Avenue; thence northeasterly along Lincoln Avenue to York Street; thence southeasterly along York Street to "B" Street; thence northeasterly along "B" Street to Jefferson Street; thence in a southeasterly and southerly direction along Jefferson Street to Imola Avenue (State Highway Nos. 29, 12 and 121); thence easterly along Imola Avenue to the junction of State Highway Nos. 29 and 12 with State Highway No. 121 (also known as Napa Road); thence continuing southerly along State Highway Nos. 29 and 12 (also known as Napa Road and/or Sonoma Boulevard) to the junction of State Highway No. 12 (also known as Jameson Canyon Road); thence continuing southerly along State Highway No. 29 to the junction of State Highway No. 37 (also known as Sears Point Road); thence southwesterly along State Highway No. 37 (Sears Point Road) to the entrance of Mare Island Naval Shipyard known as "Northgate."

Section 2. ROUTE DESCRIPTIONS. (cont'd)

Vallejo

Commencing at the intersection of State Highway No. 29 (also known as Napa Road) and Rio Del Mar Road in the County of Napa; thence in a southwesterly direction along Rio Del Mar Road to West Carolyn Drive; thence northwesterly along West Carolyn Drive to Landana Street; thence in a southwesterly direction along Landana Street to Donaldson Way; thence southerly along Donaldson Way to Los Altos; thence northeasterly along Los Altos (Napa County) to Carolyn Drive; thence in a northerly direction along Carolyn Drive to Rio Del Mar Road; thence northeasterly along Rio Del Mar Road to Cassayre Drive; thence easterly along Cassayre Drive to Melvin Road; thence in a southeasterly direction along Melvin Road to Wilson Way; thence westerly along Wilson Way to Andrew Road; thence southeasterly along Andrew Way to Crawford Way; thence northeasterly along Crawford Way to State Highway No. 29 (also known as Napa Road); thence in a southerly direction along State Highway No. 29 to Kimberly Drive; thence westerly along Kimberly Drive to Elliott Drive; thence southeasterly along Elliott Drive to Dillion Drive; thence easterly along Dillion Drive to Diana Drive; thence northeasterly along Diana Drive to Mini Drive; thence easterly along Mini Drive to State Highway No. 29 (also known as Sonoma Boulevard); thence in a southerly direction along State Highway No. 29 to Valle Vista Avenue; thence westerly along Valle Vista Avenue to Sacramento Street; thence in a northwesterly direction along Sacramento Street to Gardner Street; thence southwesterly along Gardner Street to Selfridge Street; thence southeasterly along Selfridge Street to the junction with Rodgers Street; thence northwesterly continuing along Rodgers Street to Daniels Avenue; thence southwesterly along Daniels Avenue to Wilson Avenue; thence in a southeasterly direction along Wilson Avenue to Mare Island Causeway; thence westerly along Mare Island Causeway to the entrance of Mare Island Naval Shipyard.