

ORIGINAL

Decision No. 80320

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Henderson Center Cab Company, a corporation, doing business as Yellow Cab Co., to operate a Passenger Stage Corporation between Eureka, Arcata, Eureka-Arcata Airport on an on-call basis.

Application No. 53464
(Filed July 18, 1972)

O P I N I O N

Henderson Center Cab Company, a corporation, doing business as Yellow Cab Co. and presently operating a passenger stage service between Eureka, on the one hand, and College of the Redwoods and Ferndale, on the other hand, requests authority to extend service between Eureka and Arcata, on the one hand, and the Eureka-Arcata Airport located at McKinleyville, on the other hand.

The service would be on-call. Calls would have to be placed one and one-half hours before scheduled flight departure. The proposed fares are \$3 between Eureka and the airport and \$2 between Arcata and the airport. As of April 30, 1972, applicant indicated a net worth in the amount of \$27,497.

It is alleged that applicant has been operating taxis in the Eureka area and has been offering cab service at the airport.

Copies of the application were served upon Western Greyhound Lines, Yreka Western Railroad, Eureka Chamber of Commerce, the City of Eureka, City of Arcata, Humboldt County Supervisors, and the Humboldt County Chamber of Commerce. No protest has been received.

After consideration the Commission finds that public convenience and necessity require the granting of the application. A public hearing is not necessary. The application will be granted by restating applicant's operating authority in the form of a new certificate.

Applicant 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.

3. The certificate of public convenience and necessity granted in paragraph 1 of this order shall supersede the certificate of public convenience and necessity granted by Decision No. 76548, dated December 16, 1969, in Application No. 51287, which certificate is revoked effective concurrently with the effective date of the tariff filings required by paragraph 2(b) hereof.

The effective date of this order shall be five days after the date hereof.

Dated at San Francisco, California, this 25th day of JULY, 1972.

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

William Synovitz President

Alvin H. H. H.
Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

Doing Business as
YELLOW CAB COMPANY

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY

The Certificate of Public Convenience and Necessity hereinafter noted
supersedes all operative authority heretofore granted to Henderson Center
Cab Company, dba Yellow Cab Company.

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. 80320
dated JUL 25 1972 of the Public Utilities Commission
of the State of California, on Application No. 53464.

YELLOW CAB COMPANY

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YELLOW CAB COMPANY

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

Henderson Center Cab Company by the certificate of public convenience and necessity granted is authorized to transport passengers and their baggage on an "on-call" basis, over and along the routes hereinafter described, subject, however, to the authority of this Commission to change or modify said routes at any time and subject to the following provisions:

- (a) Motor vehicles may be turned at termini and 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.
- (b) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (c) Route 1 and Route 2 are subject to a minimum of six (6) passengers in order to run a schedule.
- (d) Direct service between Ferndale and the College of the Redwoods located at Beatrice is not authorized.
- (e) Service on Route 1 shall be operated only on those days when the college is in session.
- (f) Service on Route 3 shall be subject to call one and one-half (1½) hours before scheduled flight departure and service must be requested after flight arrival.
- (g) The tariffs and timetables shall show the conditions under which each authorized "on-call" service will be rendered.

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YELLOW CAB COMPANY

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.

Route 3. Eureka, Arcata - Eureka-Arcata Airport located at McKinley

Commencing at Eureka Inn located at Seventh and "F" Streets in the City of Eureka; thence via Seventh Street, "I" Street, Fifth Street, U.S. Highway 101 to Samoa Boulevard in the City of Arcata; thence via Samoa Boulevard, "C" Street to Ninth Street (Arcata Passenger Stop); thence via "C" Street, Seventeenth Street, U.S. Highway 101, Airport Boulevard, County Road to Eureka-Arcata Airport at McKinleyville.