

ORIGINAL

Decision No. 81099

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application to transfer passenger stage)
operation from JOHN J. HABR and LOIS J.)
HABR dba West Valley Charter Lines, to)
LOIS J. HABR dba West Valley Charter)
Lines.)

Application No. 53816
(Filed January 31, 1973)

O P I N I O N

Authority is requested to transfer a passenger stage operation from John J. Habr and Lois J. Habr, doing business as West Valley Charter Lines, to Lois J. Habr, doing business as West Valley Charter Lines.

The certificate was granted by Decision No. 78195 dated January 19, 1971 in Application No. 52330 and authorizes the transportation of passengers between the cities of San Jose, Campbell, Cupertino, Sunnyvale, Santa Clara, and Milpitas, on the one hand, and the United Air Lines Maintenance Base located at the San Francisco International Airport, on the other hand.

By order of the Superior Court of the State of California dated May 9, 1972, the marriage of John J. Habr and Lois J. Habr was dissolved and the business known as West Valley Charter Lines was awarded to Lois J. Habr as her separate property.

After consideration the Commission finds that the transfer is not adverse to the public interest. A public hearing is not necessary.

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 Lois J. Habr authorizing her 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 her 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 her 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. 78195, 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 twenty days after the date hereof.

Dated at Los Angeles, California, this 6th day of MARCH, 1973.

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

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.

Vernon L. Stinson
President
William Synovis, Jr.

[Signature]
Commissioners

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Appendix A

Lois J. Habr
dba
West Valley Charter Lines

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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. 81099
dated MARCH 6, 1973 of the Public Utilities Commission
of the State of California, on Application No. 53816.

ck

Appendix A

Lois J. Habr
dba
West Valley Charter Lines

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

Lois J. Habr, doing business as West Valley Charter Lines, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers on passenger-carrying vehicles between the United Air Lines Maintenance Base at or near the San Francisco International Airport, on the one hand, and the cities of Campbell, San Jose, Santa Clara, Cupertino, Sunnyvale and Milpitas, on the other hand, over the routes hereinafter described, subject to the following provision:

No passengers shall be transported except those having point of origin or destination at said Air Lines Maintenance Base.

SECTION 2. ROUTE DESCRIPTION.

Commencing at any points within the cities of Campbell, San Jose, Santa Clara, Cupertino, Sunnyvale or Milpitas, thence to the Air Lines Maintenance Base at or near the San Francisco International Airport, via any and all appropriate routes, and return via the same routing.

Issued by California Public Utilities Commission.

Decision No. 81099, Application No. 53816.