

ORIGINAL

Decision No. 82116

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Robert A. Burrowes and
Loren B. Joplin, doing business as
CONSOLIDATED STREET RAILWAYS, to transfer
the interest of Robert A. Burrowes to
Loren B. Joplin, operation of a passenger
stage service between the City of Simi
Valley and Downtown Los Angeles and inter-
mediate points subject to restrictions.

Application No. 54109
(Filed June 19, 1973)

O P I N I O N

Robert A. Burrowes and Loren B. Joplin are presently doing business as Consolidated Street Railways which is engaged in the operation of a passenger stage service between points in the Simi Valley and downtown Los Angeles pursuant to Decision No. 79595 dated January 11, 1972 in Application No. 53034.

By this application Burrowes seeks to transfer his right and interest to Joplin for \$2,000. A copy of the written agreement for such transfer accompanies the application.

The application states that purchaser Joplin is ready, willing, and financially able to continue the service to the public, that the same rates will be charged, that the same operating schedule will be maintained, and that the same equipment will be utilized.

No protests have been received. The staff has analyzed the application and recommends that it be granted.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest and concludes that it should be authorized. We further find with reasonable certainty that the project involved in this proceeding will not have a significant effect on the environment. A public hearing is not necessary. The order which follows will provide for, in the event the transfer is completed, the revocation of the certificate presently

held by Robert A. Burrowes and Loren B. Joplin and the issuance of a certificate in appendix form to Loren B. Joplin, doing business as Consolidated Street Railways.

Loren B. Joplin is 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. 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. Within one hundred twenty days after the effective date hereof, Robert A. Burrowes may sell and transfer his interest in the operative rights and property referred to in the application to Loren B. Joplin.
2. Within thirty days after the transfer the purchaser shall file with the Commission written acceptance of the certificate and a true copy of the bill of sale or other instrument of 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 transferred to show that he has adopted or established, as his own, the 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 transfer. 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-Series and 98-Series. Failure to comply with the provisions of General Orders Nos. 79-Series and 98-Series 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 transfer the 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 is completed, effective concurrently with the effective date of the tariff filings required by paragraph 3, a certificate of public convenience and necessity is granted to Loren B. Joplin, doing business as Consolidated Street Railways, 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 set forth in Appendix A attached hereto and made a part hereof.

6. The certificate of public convenience and necessity granted by Decision No. 79595 in Application No. 53034 is revoked effective concurrently with the effective date of the tariff filings required by paragraph 3.

7. Purchaser shall comply with the safety rules of the California Highway Patrol, the rules and regulations of the Commission's General Order No. 98-Series, and the insurance requirements of the Commission's General Order No. 101-Series.

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

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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.

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

Dated at San Francisco, California, this 13th day of NOVEMBER, 1973.

Verma L. Lipton
President
William Synovus Jr.
11/13/73
[Signature]
[Signature]
Commissioners

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APPENDIX A

LOREN B. JOPLIN, dba
Consolidated Street Railways

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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. 82116,
dated NOV 13, 1973, of the Public Utilities Commission
of the State of California, in Application No. 54109.

APPENDIX A

LOREN B. JOPLIN, dba
Consolidated Street Railways

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

Loren B. Joplin, as a sole proprietor, is authorized to operate a passenger stage service for the transportation of passengers between the City of Simi Valley, on the one hand, and the City of Los Angeles, on the other hand, and over the route hereinafter described, subject to the following conditions and restrictions:

- a. No passengers will be transported with both origin and destination between the intersection of Santa Susana Avenue and Chatsworth Street, on the one hand, and Seventh and Los Angeles Streets, on the other hand.
- b. Passengers shall be picked up and discharged only at points and places to be named in applicant's tariffs and timetables, and situated within the route herein described.
- c. Motor vehicles may be turned at termini or at intermediate points, in either direction, and are to be operated in accordance with governing traffic regulations.
- d. 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. 82116, Application No. 54109.

SECTION 2. ROUTE DESCRIPTION.

Route 1: Commencing at the intersection of Madera Road and Aristotle Street, in the City of Simi Valley, thence via Aristotle Street, Sinaloa Road, Royal Avenue, Haven Avenue, Elizondo Avenue, Sycamore Drive, Los Angeles Avenue, Kuchner Drive, Simi Valley Freeway, Topanga Road, Santa Susana Avenue, Devonshire Street, Arleta Avenue, Van Nuys Boulevard, Golden State Freeway, Hollywood Freeway, Harbor Freeway, 4th Street and Los Angeles Street to 7th Street.