

ORIGINAL

Decision No. 82618

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA -

In the Matter of the Application of  
GEORGE RIGHETTI, for certificate of  
public convenience and necessity to  
operate a passenger stage service  
between Sunnyvale and San Francisco  
at United Air Lines maintenance  
base at San Francisco International  
Airport.

Application No. 54260  
(Filed August 22, 1973)

George Righetti, for himself, applicant.  
Mrs. Lois J. Kohler and Kenneth H. Kohler, for  
West Valley Charter Lines, protestant.  
Sean A. Mahon, for the Commission staff.

O P I N I O N

George Righetti, an individual, seeks a certificate of public convenience and necessity as a passenger stage to operate between Sunnyvale, Mountain View, and Palo Alto, and the United Air Lines Maintenance Base at San Francisco Airport.

He leases one bus and proposes to give transportation service to as many as 41 commuters. The fares will be \$15 for two weeks of transportation, five days a week. Twenty-seven prospective customers are identified by name and have signed statements indicating that the proposed service would be convenient for themselves and for other employees of the Base.

An informal protest was filed by West Valley Charter Lines (West Valley) which operates a certificated passenger stage operation for commuter traffic to and from the United Air Lines Maintenance Base and several communities, including Sunnyvale.

A prehearing conference was held before Examiner Gilman in San Francisco on January 18, 1974. West Valley appeared to protest that portion of the proposed operation which involves a stop just barely within the boundaries of Sunnyvale.

The staff proposed that the Commission consider an interim order granting a certificate for the undisputed position of the route. Neither party objected to this proposal.

It was agreed between applicant and protestant that protestant has no interest in serving the passengers who will use this stop since all of them reside a considerable distance from Sunnyvale and drive to this point. Applicant undertook to attempt to find another stop for these passengers which would not intrude on protestant's territory, and to submit an amendment to that effect. No hearing appears to be necessary. When and if applicant is able to find an alternate stop for the traffic in question, it may seek to amend the certificate stated in Appendix A attached to this decision by reopening this proceeding with service on all parties served with the original application.

We find that public convenience and necessity require the operations described in Appendix A attached to this decision and conclude that the application should be granted in part.

We further find with reasonable certainty that the project involved in this proceeding will not have a significant effect on the environment.

Applicant 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. A certificate of public convenience and necessity is granted to George Righetti 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 route set forth in Appendix A, attached hereto and made a part hereof.

2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure so to do may result in a cancellation of the authority.

- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. Applicant is placed on notice that if he accepts the certificate he will be required, among other things, to comply with the safety rules of the California Highway Patrol, the rules and other regulations of the Commission's General Order No. 98-Series, and the insurance requirements of the Commission's General Order No. 101-Series.
- (b) Within one hundred twenty days after the effective date of this order, applicant shall establish the authorized service 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 authorized service.

- (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-Series and 98-Series.

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

Dated at San Francisco, California, this 19th  
day of MARCH, 1974.

Verano L. Sturgeon  
President  
William J. Sullivan Jr.  
J. P. Mulvaney Jr.  
Thomas J. Moran  
Commissioners

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

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.

---

Issued under authority of Decision No. **82618**  
dated MAR 19 1974 of the Public Utilities Commission  
of the State of California, on Application No. 54260.

Imm

Appendix A

GEORGE RIGHETTI

Original Page 2

INDEX

	<u>Page No.</u>
SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS . . . . .	3
SECTION 2. ROUTE DESCRIPTION . . . . .	4

Issued by California Public Utilities Commission.

Decision No. 82618, Application No. 54260.

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

George Righetti, 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 Mountain View and Palo Alto, on the other hand, over the routes hereinafter described, subject to the following provisions:

1. Only passengers destined to or originating at the United Air Lines Maintenance Base shall be transported.
2. Service will be operated only at times necessary to meet employee day shift needs on regular working days.
3. Service need not be operated during strikes or other work shutdowns at the Maintenance Base.
4. Operation of this route shall be conducted so that arrival time at the United Air Lines Maintenance Base is between 6:30 a.m. and 7:00 a.m. Revision to this requirement may only take place if authorized by the Commission.

Issued by California Public Utilities Commission.

Decision No. 82618, Application No. 54260.

## SECTION 2. ROUTE DESCRIPTION.

Commencing at the intersection of Church Street and Calderon Street in the City of Mountain View thence via Calderon Street, Villa Street, Bailey Avenue, California Street, Rengstorff Avenue, Central Expressway, Alma Street, Charleston Road, Middle Field Road, Oregon Expressway, U.S. Highway 101 (Bayshore Freeway), and by the most direct or convenient route to the United Air Lines Maintenance Base; returning by the reverse of this route.

Issued by California Public Utilities Commission.

Decision No. 82618, Application No. 54260.