

ORIGINALDecision No. 82633

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
ROBERT G. HAGER for a certificate of)
public convenience and necessity to)
operate passenger service between)
EAST MANNING AVENUE, REEDLEY, AND)
EAST MANNING AVENUE AND HIGHWAY 99,)
FOWLER.)

Application No. 54592
(Filed January 21, 1974)

O P I N I O N

Applicant has applied for a certificate of public convenience and necessity to operate as a passenger stage corporation under Section 1031 of the Public Utilities Code. He has a 1963 36-passenger Chevrolet school bus, which will be used to transport employees of New Holland (a subdivision of Sperry Rand Co.) from their homes in Reedley (Fresno County) to work in the city of Fowler, a one-way distance of approximately 12 miles. Applicant will operate one bus on one round trip each work day. The bus will leave East Manning Avenue near Frankwood Avenue in Reedley every morning at 5:25 a.m. and will arrive at the New Holland parking lot in Fowler at 5:55 a.m. The same bus will return at 4:30 p.m. and arrive at its starting point in Reedley at 5:00 p.m. Each passenger will pay a fare of 50 cents upon entering the bus. Tickets or commute books will not be sold. Applicant's financial statement indicates that he can institute and maintain the proposed service.

It is alleged that the proposed service will not interfere with any other passenger stage operator and that the service will eliminate the need for each passenger to drive his own vehicle to work.

Findings

1. No protests have been received.
2. This proposed service will not interfere with any other passenger stage corporation.
3. Public convenience and necessity require that the proposed service be authorized.
4. Applicant possesses the ability, experience, equipment, and financial resources needed to perform the aforesaid service. ✓
5. It is reasonably certain that the project involved in this proceeding will not have a significant effect on the environment.
6. A public hearing is not necessary.

The Commission concludes that the application should be granted.

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 Robert G. Hager, 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.

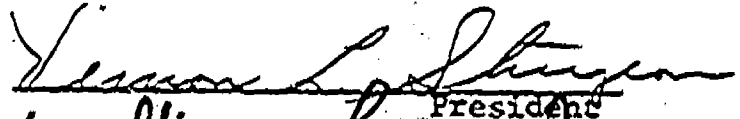
2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure so to do may result in a cancellation of the authority.

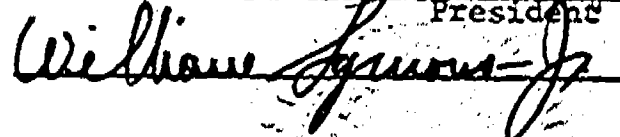
- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. Applicant is placed on notice that if he accepts the certificate he will be required, among other things, to comply with the safety rules of the California Highway Patrol, 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.

- (e) Applicant 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.

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

Dated at San Francisco, California, this 26th day of MARCH, 1974.


President






Commissioners

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

JR

Appendix A

Robert G. Hager
Doing Business As
ROBERT G. HAGER BUS SERVICE

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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. 82633
dated March 26, 1974 of the Public Utilities Commission
of the State of California, on Application No. 54592.

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

Robert G. Hager, 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 New Holland (division of Sperry Rand Corporation), manufacturing plant in or near Fowler, on the one hand, and the City of Reedley, on the other hand, over the route hereinafter described, subject to the following provisions:

1. 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.
2. When route descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.
3. Service shall be limited to the transportation of passengers who originate at or are destined to the New Holland plant at or near Fowler.
4. Service will be operated on regular working days.
5. Service need not be operated during strikes or other work shutdowns at New Holland.

Issued by California Public Utilities Commission.

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JR

Appendix A

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SECTION 2. ROUTE DESCRIPTION.

Commencing at the parking lot on the south side of East Manning Avenue, near Frankwood Avenue, in the City of Reedley; thence continuing westerly on East Manning Avenue to East Manning and Highway 99 in the City of Fowler and end in the parking lot at the New Holland plant.

Issued by California Public Utilities Commission.

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