

Decision No. 83794**ORIGINAL**

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
Daniel Elihu Cobb, dba of Cobb's  
Coaches, for certificate of public  
convenience and necessity to operate  
passenger stage service between  
Modesto, Stockton, Manteca, and  
Tracy, and Lathrop, California.

Application No. 55155  
(Filed September 10, 1974)

O P I N I O N

Applicant has applied for authority to provide a passenger stage service for those who work at the Tracy Defense Depot or the Sharpe Army Depot and live in Modesto, Manteca, or Stockton. Service will be provided Monday through Friday and fares will be collected in advance every week for five days of transportation.

<u>Between</u>	<u>And</u>	<u>Five Days Round Trip</u>
Modesto	Tracy Defense Depot	\$16.50
Manteca	Tracy Defense Depot	16.50
Stockton	Tracy Defense Depot	16.50
Modesto	Sharpe Army Depot	15.00
Manteca	Sharpe Army Depot	10.00
Stockton	Sharpe Army Depot	10.00

Service will be provided with one 1947 45-passenger General Motors bus. It is alleged that there is no bus service to the defense depots, and many employees have advised they will ride the bus if service is provided. Applicant's balance sheet shows a net worth of \$26,800 and current liabilities of \$3,200. Applicant will operate out of Modesto.

The application was published in the Commission Calendar and no protests have been filed.

Findings

1. The passenger stage service proposed herein is not available at the present time.
2. The proposed service will transport workers at the Tracy Defense Depot or the Sharpe Army Depot from their homes in Modesto, Manteca, and Stockton to work in the morning and return them home in the evening.
3. Applicant possesses the ability, experience, equipment, and financial resources needed to perform the aforesaid service.
4. Public convenience and necessity require that the service proposed by applicant be established.
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 Daniel Elihu Cobb, 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 administered by 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 10th day of DECEMBER, 1974.

Vernon L. Shugart  
President  
William J. Quinn  
Thomas M. Quinn  
Robert E. Myland  
Commissioners

b1

Appendix A

Daniel E. Cobb  
dba Cobb's Coaches

Original Page 1

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. 83794, dated  
DEC 10 1974, of the Public Utilities Commission  
of the State of California, in Application No. 55155.

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

Daniel E. Cobb, dba Cobb's Coaches, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers between Tracy Defense Depot or the Sharpe Depot, on the one hand, and the Cities of Modesto, Manteca or Stockton, on the other hand, and certain territories intermediate and adjacent thereto, 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) Only passengers destined to or originating at the Tracy Defense Depot or the Sharpe Army Depot shall be transported.
- (d) Service will be provided Monday through Friday of each week except during work shut-downs at the depots.
- (e) Service will be operated at times necessary to meet employee shift needs on regular working days.

Issued by California Public Utilities Commission.

Decision No. 83794, Application No. 55155.

## SECTION 2. ROUTE DESCRIPTIONS.

Route No. 1 - Stockton-Tracy Defense Depot

Commencing at the intersection of Pacific Avenue and Benjamin Holt Drive in the City of Stockton, thence via Benjamin Holt Drive to Interstate 5, to Alpine Avenue or to the Country Club Boulevard, continue south on Interstate 5 to Charter Way, thence on Charter Way to State Highway 99, south on State Highway 99 to Manteca, west on State Highway 120, thence along Chrisman Road to the Tracy Defense Depot.

Route No. 2 - Modesto-Tracy Defense Depot

Commencing at the intersection of Prescott Road and State Highway 99, thence via along State Highway 99 to State Highway 120, along State Highway 120 to Chrisman Road, thence along Chrisman Road to the Tracy Defense Depot.

Route No. 3 - Stockton-Sharpe Army Depot

Commencing at the intersection of Pacific Avenue and Benjamin Holt Drive in the City of Stockton, thence via Benjamin Holt Drive to Interstate Highway 5, south on Interstate Highway 5 to Alpine Avenue or the Country Club Boulevard, continue south on Interstate 5 to Charter Way, east on Charter Way to Airport Way, thence via Airport Way to Roth Road and to the Sharpe Army Depot.

SECTION 2. ROUTE DESCRIPTIONS. (Continued)

Route No. 4 - Manteca-Sharpe Army Depot

Commencing at the intersection of Prescott Road and State Highway 99, thence north via State Highway 99 to Manteca, west on State Highway 120, thence north on Airport Way to Lathrop Road and to the Sharpe Army Depot.

Issued by California Public Utilities Commission.

Decision No. 83794, Application No. 55155.