

ORIGINAL

Decision No. 85109

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 PETER LAWRENCE HEINE For certificate)
 of public convenience and necessity)
 to operate FIXED ROUTE SCHEDULED) Application No. 55954
 SHUTTLE STAGE CARRYING PASSENGERS,) (Filed September 24, 1975)
 THEIR BAGGAGE AND/OR EXPRESS service)
 between FORT BRAGG, MENDOCINO, LITTLE)
 RIVER (COUNTY) AIRPORT AND ADJACENT)
 POINTS.)

O P I N I O N

By this application, Peter Lawrence Heine, an individual doing business as The Mendocino Stage requests a Certificate of Public Convenience and Necessity to operate as a Passenger Stage Corporation transporting passengers and their baggage and express between Fort Bragg and Little River Airport and and points intermediate thereto, Between Fort Bragg and Heritage House, and between Little River Airport and Heritage House.

The applicant proposes to utilize a 12 passenger van operating daily except on Sundays. He proposes to charge fares that vary between 50 cents and \$3.50, depending on the points served as named in the application.

On express packages applicant will limit the gross weight of each package to 50 pounds and the rate per package will range from \$1.00 to \$1.75 for packages weighing less than 26 pounds to \$2.50 for packages that weigh between 26 and 50 pounds. Applicant will provide suitable facilities and provide arrangements at all drop-off points.

Applicant alleges that the proposed bus service is needed because the Fort Bragg - Mendocino areas are experiencing increased growth and tourist activity. Applicant also contends that

the recently granted authority by this Commission to Marin Aviation to provide service at Little River Airport will create a need for public transportation between the Airport and the points named in this application. Presently the communities and points named in this application are without any public passenger bus transportation.

The application was listed on the Commission's Daily Calendar of September 25, 1975. Applicant alleges that copies of the applications were mailed to Pacific Greyhound, B & H Transportation Company, The California Western Railroad Company, Marin Aviation and the City of Fort Bragg.

The Commission's Transportation Division staff has reviewed the application and recommends that the application be granted.

No protest has been received.

The Commission finds that:

1. Public Convenience and Necessity require that the services proposed by applicant be established.
2. With reasonable certainty the proposed bus service will not have a significant effect on the environment.
3. A public hearing is not necessary and 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 Peter Lawrence Heine as an individual doing business as The Mendocino Stage, authorizing him to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points, over the route, and subject to the conditions set forth in Appendix A of this decision.

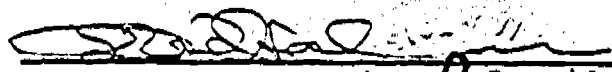
2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure so to do may result in a cancellation of the authority.

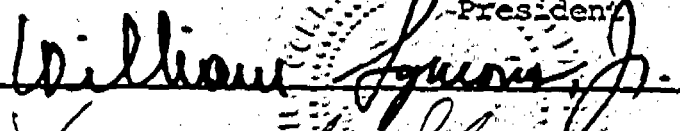
- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. Applicant is placed on notice that if he accepts the certificate he will be required among other things to comply with the safety rules administered by the California 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 five days after the effective date of this order on not less than five 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, 80-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.
- (f) Applicant shall comply with the requirements of the Commission's General Order No. 84-Series for the transportation of collect on delivery shipments. If applicant elects not to transport collect on delivery shipments, it shall make the appropriate tariff filings as required by the General Order.

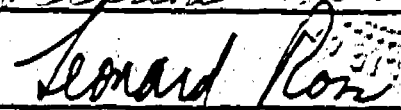
The effective date of this order is date hereof

Dated at San Francisco, California, this 12th
day of NOVEMBER, 1975.



President






Commissioners

Commissioner Robert Batimovich, being necessarily absent, did not participate in the disposition of this proceeding.

DDM

Appendix A

PETER LAWRENCE HEINE
dba
THE MENDOCINO STAGE

Original Title Page

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. 85109, dated NOV 12, 1975,
of the Public Utilities Commission of the State of California, in
Application No. 55954.

Appendix A

PETER LAWRENCE HEINE
dba
THE MENDOCINO STAGE

Original Page 1

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

Peter Lawrence Heine an individual doing business as the Mendocino Stage, by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin is authorized as a Passenger Stage Corporation to transport passengers and their baggage between Fort Bragg and Little River Airport and points intermediate thereto, between Fort Bragg and Heritage House and between Little River and Heritage House; and to transport express shipments weighing less than fifty (50) pounds between Fort Bragg, on one hand, and Mendocino, Little River, Little River Airport and Heritage House, on the other hand; over and along the route hereinafter described subject, however, to the authority of this Commission to change or modify said route at any time and subject to the following provisions:

- (a) When route descriptions are given in one direction, they apply in either direction unless otherwise indicated.
- (b) Service will be operated daily except on Sundays.

Issued by California Public Utilities Commission.

Decision No. 85109, Application No. 55954.

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Appendix A

PETER LAWRENCE BEINE
dba
THE MENDOCINO STAGE

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SECTION III. ROUTE DESCRIPTION

Commencing from Fort Bragg, thence on and along State Highway 1, stopping at Harbor Light Motel in Noyo, Caspar, Mendocino Hotel, Mendocino, Little River Inn, Little River, thence on Airport Road to "The Woods", return on Airport Road to Little River Airport, return on Airport Road to State Highway 1 and along State Highway 1 to Heritage House located between Little River and Albion.

Issued by California Public Utilities Commission.

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