

Decision No. 85229**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 DWIGET SPURGEON (Seller) and )  
 RICHARD GOODRIDGE, ILSE GOODRIDGE, )  
 JOHN WILLIAMS, and RONI WILLIAMS )  
 (Purchaser), for Authorization to )  
 Transfer Certificate of Passenger )  
 Stage Service. )

Application No. 55803  
 (Filed July 14, 1975)

O P I N I O N

Dwight Spurgeon, doing business as B & H Transportation, hereinafter referred to as seller, requests authority to transfer to Richard Goodridge, Ilse Goodridge, John Williams and Roni Williams, hereinafter referred to as purchasers, his Certificate of Public Convenience and Necessity to operate as a Passenger Stage Corporation between Willits and Fort Bragg.

The seller and purchasers have entered into a written agreement that sets forth the terms and conditions of the transfer of the Certificate of Public Convenience and Necessity. The parties have agreed that the purchase price will be the sum of five hundred dollars (\$500).

The application was listed on the Commission's Daily Calendar of July 16, 1975. The Commission's Transportation Division staff has reviewed the application and recommends that, in the absence of protest or request for public hearing, it be granted by ex parte order. No protest or request for hearing has been received.

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 and the application should be granted.

The order which follows will provide for, in the event the transfer is completed, the revocation of the certificate presently held by Dwight Spurgeon, doing business as B & H Transportation, and the issuance of a certificate in appendix form to Richard Goodridge, Ilse Goodridge, John Williams and Roni Williams.

Purchasers are 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.

#### ORDER

IT IS ORDERED that:

1. On or before January 1, 1976, Dwight Spurgeon, doing business as B & H Transportation, may sell and transfer the operative rights referred to in the application to the purchasers Richard Goodridge, Ilse Goodridge, John Williams and Roni Williams.
2. Within thirty days after the transfer the purchasers 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. Purchasers 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 they have adopted or established, as their 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 filings 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. 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 Richard Goodridge, Ilse Goodridge, John Williams and Roni Williams, authorizing them 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.


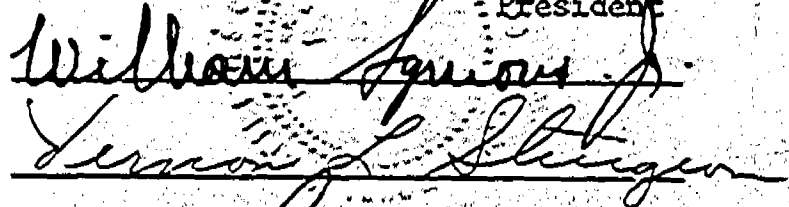
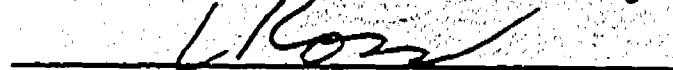
5. The certificate of public convenience and necessity granted by Decision No. 75606 is revoked effective concurrently with the effective date of the tariff filings required by paragraph 3.

6. Purchasers 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 insurance requirements of the Commission's General Order No. 101-Series.

7. Purchasers shall maintain their 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 their 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 9th day of DECEMBER, 1975.

  
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President  
  
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Commissioners

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

DDM

Appendix A

RICHARD GOODRIDGE, ILSE GOODRIDGE, Original Page 1  
JOHN WILLIAMS AND RONI WILLIAMS

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

The Certificate hereinafter noted supersedes all operative authority heretofore granted to Dwight Spurgeon, doing business as B & H Transportation, or his predecessors.

Richard Goodridge, Ilse Goodridge, John Williams and Roni Williams by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin, are authorized to operate as a Passenger Stage Corporation to transport passengers and their baggage on an on-call basis between Willits and Fort Bragg, subject to the following provision:

The term "on-call" as used herein refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs and timetables shall show the conditions under which each authorized "on-call" service will be rendered.

Issued by California Public Utilities Commission.

Decision No. 85229, Application No. 55803.