

Decision No. 85320

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of

WARNER D. HARRIS

for Certificate of Public Convenience
and Necessity to operate a Passenger
Stage Service between points within
Gardena, California, and various
areas in Los Angeles County.

Application No. 55971
(Filed September 30, 1975)

O P I N I O N

Warner D. Harris, doing business as Harris Limousine Service, is a passenger stage corporation engaged in the transportation of passengers, on call, between two poker clubs in the city of Gardena and various areas in Los Angeles County, pursuant to Decision No. 70672 (1966). By this application it seeks authority to extend service to include three other points in the city of Gardena.

Applicant alleges that there is no direct transportation available between the various enumerated territories and the proposed additional points in Gardena. Applicant also states that many of the persons being transported are traveling at late hours or on weekends when public transportation is infrequent.

Copies of the application were served on Southern California Rapid Transit District, Gardena Municipal Bus Lines, Department of Public Utilities of the city of Los Angeles, Los Angeles County Board of Supervisors, and Greyhound Lines, Inc. The filing of the application was noticed in the Commission's Daily Calendar on October 2, 1975. The Transportation Division recommends that the application be acted upon ex parte if no protests are received. There are no protests. A public hearing is not necessary.

Findings

1. Applicant provides passenger stage service, on call, between defined areas in Los Angeles County and two points in the city of Gardena. Applicant seeks to extend service to three additional points in Gardena.

2. Applicant possesses the equipment, personnel, and financial resources to institute and maintain the sought additional service.

3. Public convenience and necessity require that the application be granted.

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

Conclusion

The application should be granted as provided in the following order.

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 Warner D. Harris, doing business as Harris Limousine Service, authorizing him to extend operations as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, to three additional points in the city of Gardena, as more specifically set forth in Appendix A to Decision No. 70672, as amended in the revised page attached hereto.

2. Appendix A of Decision No. 70672 is amended by incorporating First Revised Page 2, attached hereto, in revision of Original Page 2.


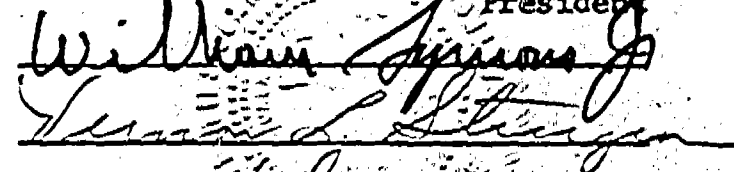
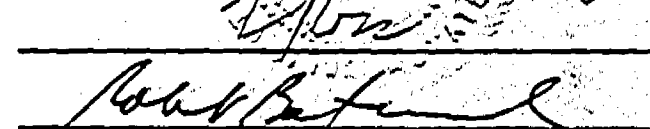
3. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure so to do may result in a cancellation of the authority.

- (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. Rates and rules shall be those in applicant's Local Passenger Tariff No. 1, Cal PUC No. 1, effective September 9, 1966.
- (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 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 is the date hereof.

Dated at San Francisco, California, this 6th
day of JANUARY, 1976.

 President
William J. Higgins

Robert L. Stinson
 Commissioners

/bw *

Appendix A
(Dec. 70672)

WARNER D. HARRIS
doing business as
HARRIS LIMOUSINE SERVICE

First Revised Page 2
Cancels
Original Page 2

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

Warner D. Harris, doing business as Harris Limousine Service, by certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers:

1. Between the Los Angeles, West Los Angeles, South Los Angeles, Hollywood, Long Beach, and San Fernando Valley territories, as said territories are hereinafter described on the one hand, and 15446 South Western Avenue, Gardena; 14305 South Vermont Avenue, Gardena; 14808 South Western Avenue, Gardena; 15401 South Vermont Avenue, Gardena; and 13927 South Vermont Avenue, Gardena, on the other hand, over and along the most direct or appropriate route or routes.

The authority granted is subject to the following conditions and restrictions:

- (a) Service shall be limited to the transportation of passengers who originate at or are destined to 15446 South Western Avenue, Gardena, or 14305 South Vermont Avenue, Gardena, or 14808 South Western Avenue, Gardena; or 15401 South Vermont Avenue, Gardena; or 13927 South Vermont Avenue, Gardena.
- (b) All passengers must be picked up and discharged at points within the authorized service territories or at 15446 South Western Avenue, Gardena; or 14305 South Vermont Avenue, Gardena; or 14808 South Western Avenue, Gardena; or 15401 South Vermont Avenue, Gardena; or 13927 South Vermont Avenue, Gardena.
- (c) The conditions under which the "on-call" service is to be rendered shall be shown in applicant's already authorized and existing tariff and timetable.

Issued by California Public Utilities Commission.

Revised by Decision No. 85320, Application No. 55971.