

Decision No. 85457

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application
 of ROBERT DUGGER (Purchaser)
 and CHARLES E. BULL (Seller)
 for authorization to transfer
 Certificate of Passenger Stage Service.)

} Application No. 55972
 } (Filed October 1, 1975)
 }

O P I N I O N

By Decision No. 40045 in Application No. 28167 Charles E. Bull was issued a certificate of public convenience and necessity to operate as a passenger stage corporation (PSC-102) between Redding and Redding Municipal Airport.

By Application No. 55972 Charles E. Bull, hereinafter referred to as seller, requests authority to transfer his certificate of public convenience and necessity to transport passengers and express to Robert Dugger, doing business as Airport Bus Service, hereinafter referred to as purchaser.

The seller and purchaser have entered into a written agreement on the terms and conditions for the transfer of the certificate of public convenience and necessity. The parties have agreed that the purchase price will be the sum of one hundred dollars (\$100).

The application was listed on the Commission's Daily Calendar of October 2, 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. A public hearing is not necessary.

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.

The order which follows will provide for, in the event the transfer is completed, the revocation of the certificate presently held by Charles E. Bull and the issuance of a certificate in appendix form to Robert Dugger, doing business as Airport Bus Service.

Purchaser 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. On or before May 1, 1976, Charles E. Bull may sell and transfer the operative rights referred to in the application to the purchaser Robert Dugger, doing business as Airport Bus Service.
2. Within thirty days after the transfer the purchaser 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. Purchaser 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 he has adopted or established, as his own, the rates and rules. 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 transfer. The tariff and timetable filings made pursuant to this order shall comply in all respects 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. 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 Robert Dugger, doing business as Airport Bus Service, 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.


5. The certificate of public convenience and necessity granted by Decision No. 40045 is revoked effective concurrently with the effective date of the tariff filings required by paragraph 3.

6. Purchaser 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. Purchaser 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 18th
day of FEBRUARY, 1976.


President
William Lynum
Vernon L. Sturgeon
V. Ross
Robert Sturgeon
Commissioners

ROBERT DUGGER
DBA
AIRPORT BUS SERVICE

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. 85457,
dated FEB 18 1976, 1976, of the Public Utilities Commission
of the State of California, in Application No. 55972.

ROBERT DUGGER
DRA
AIRPORT BUS SERVICE

Robert Dugger, doing business as Airport Bus Service, by the certificate of public convenience and necessity to operate as a passenger stage corporation granted by the decision noted in the margin, is authorized to transport passengers, baggage and shipments of express between Redding and Redding Municipal Airport over and along the most appropriate and convenient streets, roads and highways subject to the following provisions:

- (a) Stops may be made along the route at any hotel or motel to pick up or discharge passengers and express.
- (b) The transportation of express shall be on passenger-carrying vehicles and shall be incidental to the transportation of passengers and limited to a weight of not more than one hundred (100) pounds per shipment.

Issued by California Public Utilities Commission.

Decision No. 85457, Application No. 55972.