

Decision No. 85681

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of	)	
PARA TRANSIT LTD. to acquire a Certif-	)	
icate of Public Convenience and	)	Application No. 56279
Necessity, and SOUTHERN CALIFORNIA	)	(Filed February 17, 1976)
TRANSIT COMPANY, to transfer, pur-	)	
suant to Section 851, et seq., of	)	
the California Public Utilities Code.	)	

O P I N I O N

By Decision 83456 in Application 54871, Southern California Transit Company was issued a Certificate of Public Convenience and Necessity to operate a dial-a-ride passenger stage corporation (PSC-954) between points in the San Fernando Valley area.

In this application, Southern California Transit Company requests authority to transfer its Certificate of Public Convenience and Necessity to Para Transit Ltd.

The transferor and transferee have agreed that the transfer ✓ of the Certificate of Public Convenience and Necessity will be made without compensation to transferor, thus, a bill of sale will not be executed.

The application was listed on the Commission's Daily Calendar of February 18, 1976. 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 Southern California Transit Company and the issuance of a certificate in appendix form to Para Transit Ltd.

Transferee 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 July 1, 1976, Southern California Transit Company may transfer the operative rights referred to in the application to the transferee, Para Transit Ltd.
2. Within thirty days after the transfer the transferee shall file with the Commission written acceptance of the certificate and an instrument of transfer.
3. Transferee 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 it has adopted or established, as its 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 79- and 98-Series. Failure to comply with the provisions of General Orders 79- 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 Para Transit Ltd. authorizing it to operate a "dial-a-ride" service as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points set forth in Appendix A, attached hereto and made a part hereof.

5. The Certificate of Public Convenience and Necessity granted by Decision 83456 is revoked effective concurrently with the effective date of the tariff filings required by Paragraph 3.

6. Transferee shall comply with the safety rules of the California Highway Patrol, the rules and regulations of the Commission's General Order 98-Series, and insurance requirements of the Commission's General Order 101-Series.

7. Transferee shall maintain its 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 its 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 13<sup>th</sup>  
day of APRIL 1, 1976.

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President  
*William S. Lyons, Jr.*  
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*Thomas L. Schugart*  
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*W. D. Holmes*  
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*Robert R. Holmes*  
Commissioners

Commissioner D. W. Holmes, being  
necessarily absent, did not participate  
in the disposition of this proceeding.

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
PASSENGER STAGE CORPORATION

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Showing passenger stage operative rights, restrictions, limitations, exceptions  
and privileges applicable thereto.

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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.

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Issued under authority of Decision No. 85681  
dated APR 13, 1976 of the Public Utilities Commission  
of the State of California in Application No. 56279.

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

The certificate hereinafter noted supersedes all operative authority heretofore granted to Southern California Transit Company or its predecessors.

Para Transit Ltd., by the certificate of public convenience and necessity noted in the margin, is authorized as a Passenger Stage Corporation to transport passengers in a "dial-a-ride" service between points within the service area described herein, subject, however, to the authority of this Commission to change or modify said service area at any time and subject to the following provisions:

- (a) No passenger shall be transported who does not have both point of origin and point of destination within the service area described herein.
- (b) Service shall be rendered via a direct route from the point of origin to the point of destination of a passenger, except that when more than one passenger is to be transported in a single vehicle, service shall be rendered by the most direct routings possible, taking into consideration the various points of origin and destination of the several passengers.
- (c) Drivers shall have discretion in choosing routings and order of origins and destinations, based upon the above considerations.

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## SECTION 2. SERVICE AREA DESCRIPTION.

SERVICE AREA 1: San Fernando - Pacoima - Sylmar

All that area enclosed by a path beginning at the interchange of Golden State Freeway and Tuxford Street in the City of Los Angeles, then via Tuxford Street, Sunland Boulevard, Stonehurst Avenue and Clybourn Avenue to its intersection with McBroom Street, then via a projection of Clybourn Avenue through Hansen Dam Park to the intersection of Foothill Boulevard and Clybourn Avenue, then via Clybourn Avenue and a further extension of Clybourn Avenue to the City of Los Angeles boundary line, then via the City of Los Angeles boundary line northwestward to its intersection with a projection of Needham Street, then via this projection and Needham Street to its projected intersection with the Golden State Freeway, then via the Golden State Freeway to its interchange with Tuxford Street, being the point of beginning.

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