

Decision No. 86020

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 N. T. Chastain (Seller) and)
 Ronald R. Hassler, and Gary L. Tufts,) Application No. 56448
 Partnership (Buyers) For Authorization) (Filed April 30, 1976)
 to Transfer a Certificate of Passenger)
 Stage Service.)

O P I N I O N

By Decision 81863 in Application 54017, N. T. Chastain, doing business as Redding Bus Lines, was issued a Certificate of Public Convenience and Necessity to operate as a passenger stage corporation (PSC 100) between Redding and Alturas, between Redding and Shasta Dam and between Redding and Anderson.

In this application, N. T. Chastain, referred to as seller, requests authority to transfer the certificate between Redding and Alturas to Ronald R. Hassler and Gary L. Tufts, hereinafter referred to as buyers.

Seller avers that:

"... he has reached the retiring age and finds this operation quite rigorous, and wishes to transfer it to persons of more vigorous age..."

Seller also adds that he would devote his time to the remaining portion of his authority.

The seller and buyers entered into a written agreement on the terms and conditions for the transfer of the route between Redding and Alturas. The parties have agreed that the purchase price will be the sum of \$18,000 for the authority between Redding and Alturas, ticket and express waybill forms, bus stop signs, signals, markers and other incidentals pertaining to the bus operation.

The application was listed on the Commission's Daily Calendar of May 3, 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.

The order which follows will provide for, in the event the transfer is completed, the partial revision of the certificate presently held by N. T. Chastain, doing business as Redding Bus Lines, and the issuance of a certificate in appendix form to Ronald R. Hassler and Gary L. Tufts.

Buyers 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.

O R D E R

IT IS ORDERED that:

1. On or before September 30, 1976, N. T. Chastain, doing business as Redding Bus Lines, may sell and transfer the operative rights referred to in the application to the buyers, Ronald R. Hassler and Gary L. Tufts, a partnership, doing business as Intermountain Stage Company.
2. Within thirty days after the transfer the buyers 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. Buyers and seller shall amend or reissue the tariffs and timetables on file with the Commission, naming rates and rules governing the common carrier operations transferred and operations remaining to show that the buyers have adopted or established, as

their 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-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 Ronald R. Hassler and Gary L. Tufts, a partnership, authorizing them to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between Redding and Alturas over the route set forth in Appendix A, attached hereto and made a part hereof.

5. The Certificate of Public Convenience and Necessity granted to N. T. Chastain, doing business as Redding Bus Lines, to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the route set forth in Appendix A of Decision 81863 is amended by incorporating First Revised Pages 2, 3, 5 and 7 in revision of Original Pages 2, 3, 5 and 7, respectively.

6. Buyers 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. Buyers 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 29th
day of JUNE, 1976.

President
William S. Brown, Jr.
Vernon L. Sturgeon
U. S. ...
Robert P. ...
Commissioners

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

Appendix A

Ronald R. Hassler
and
Gary L. Tufts
A Partnership
dba
INTERMOUNTAIN STAGE COMPANY

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

Ronald R. Hassler and Gary L. Tufts, doing business as Intermountain Stage Company, by the Certificate of Public Convenience and Necessity as granted by the decision noted in the margin, as a passenger stage corporation, are authorized to transport passengers, baggage and express between Redding and Alturas and intermediate points, 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) Motor vehicles may be turned at terminal and intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections, in accordance with local traffic regulations.
- (b) When route description is given in one direction, it applies to operation in either direction unless otherwise indicated.
- (c) Transportation of express shall be limited to a weight of one hundred (100) pounds per shipment and shall be transported on passenger-carrying vehicles.
- (d) 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.
- (e) Service between Hillcrest and Big Bend via Big Bend Road may be operated on an "on-call" basis.

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Appendix A

Ronald R. Hassler
and

Gary L. Tufts
A Partnership
dba

INTERMOUNTAIN STAGE COMPANY

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SECTION 2. ROUTE DESCRIPTION

Route 1 - Redding - Alturas

Commencing from Redding, thence via North Market Street and State Highway 299, to Alturas, serving the Communities of Stillwater, Bella Vista, Ingot, Round Mountain, Montgomery Creek, Hillcrest, Burney, Johnson Park, Fall River Mills, McArthur, Nubieber, Bieber, Adin, Canby and Alturas; between Hillcrest and Big Bend via Big Bend Road to be operated on an "on-call" basis.

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TLR

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dba
REDDING BUS LINES

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*Deleted by Decision No. 86020, Application No. 56448.

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REDDING BUS LINES

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

The certificate hereinafter noted supersedes all operative authority heretofore granted to N. T. Chastain.

N. T. Chastain, dba Redding Bus Lines, 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, baggage and express* between the City of Redding and Shasta Dam and intermediate points, and the City of Redding and the City of Anderson and intermediate points, and certain territories intermediate and adjacent thereto, over and along the routes hereinafter described, subject, however, to the authority of this Commission to change or modify said routes at any time and subject to the following provisions:

- (a) Motor vehicles may be turned at termini and intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections, in accordance with local traffic regulations.
- (b) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (c) Transportation of express shall be limited to a weight of one hundred (100) pounds per shipment and shall be transported on passenger-carrying vehicles.

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REDDING BUS LINES

SECTION 2. ROUTE DESCRIPTIONS.

*ROUTE 1 - Deleted

ROUTE 2 - Shasta Dam - Central Valley Route

Starting in Redding at Butte Street and Pine Street, north on Pine Street and Eureka Way to North Market Street, north on North Market Street to Lake Boulevard, to Hill Boulevard, to Lake Boulevard, to Shasta Dam Boulevard, to Montana Avenue, to Red Bluff Street, to Oregon Avenue, to Grand Avenue, to Buena Vista Street, to Cascade Boulevard, to Grand Coulee Boulevard, to Vallecito Street, to Cabello Street, to La Mesa Street, to Ashby Road, to Montana Avenue, to Shasta Dam Boulevard, to Grand Coulee Boulevard, to Cascade Boulevard, to Oasis Road, to Lake Boulevard, to North Market Street, return to Butte Street and Pine Street in Redding.

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REDDING BUS LINES

SECTION 2. (Continued)

ROUTE 4 - Route II South

Starting in Redding at Pine Street and Butte Street to Market Street, to Placer Street, to Court Street, Railroad Avenue, to El Reno Lane, to Harrison Street, to Miller Street, to Cedars Road, to South Market, to Westwood Avenue, to Paso Drive, to Leonard Drive, to Meadow Brook Drive, to El Camino Drive, to Westwood Avenue.

ROUTE 5 - Shuttle Route

Beginning at the intersection of Akard Avenue and Cypress Street along Akard Avenue to Pine Street, Pine Street to Placer Street, Placer Street to Court Street. This route may be used in connection with either Route I South or Route II South.

SECTION 2-A. ON-CALL ROUTES

* ROUTE 1 - Deleted

ROUTE 2 - Shasta Dam - Central Valley Route

From the junction of Lake Boulevard and Shasta Dam Boulevard via Lake Boulevard to Shasta Dam Plaza to be operated on an "on-call" basis.

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