

Decision 88 04 043 APR 27 1988**ORIGINAL**

APR 27 1988

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 Chuck H. White dba Mountain Pacific)
 Lines to transfer operating authority)
 to Walt Danneman t/a Sierra Trolley)
 Company.)

Application 88-03-007
 (Filed March 2, 1988)

OPINION

Chuck H. White, an individual doing business as Mountain Pacific Lines, transferor, and Sierra Trolley Company, transferee, a California corporation, requests authority to transfer from the former to the latter the passenger stage certificate issued by Decision (D.) 87-87-008. Notice of the filing of the application appeared in the Commission's Daily Calendar of March 8, 1988, and in the Commission's Transportation Calendar of March 9, 1988. No protests to the application have been filed.

The subject certificate authorizes operations between Fresno, Oakhurst, Bass Lake, and Yosemite Village with service points at downtown Fresno, Fresno Air Terminal, North Fresno, Rolling Hills, intersection of Highways 41 and 45, Black Hawk, Indian Lakes Junction, Coarsegold, Oakhurst, Bass Lake, Cedar Valley Junction, Fish Camp, and Yosemite Village Lodge.

There is no consideration involved in the transfer. Transferor has moved to southern California and desires to leave the bus business.

Transferee projects its first year of operation will gross approximately \$258,000, including \$75,000 from the sale of advertising to be placed on the outside of its buses. Transferee expects to average a half load of passengers each trip during the 6 months tour season.

On February 8, 1988, transferee's owner had a net worth of approximately \$62,000. Transferee is a newly incorporated enterprise.

Findings of Fact

1. Transferor and transferee request that the passenger stage certificate issued the former in D.87-07-008 be transferred to transferee.

2. The subject certificate authorizes service between Fresno, Oakhurst, Bass Lake, and Yosemite Village with service to named intermediate points.

3. Transferor wishes to move to southern California and cease his present bus business.

4. Transferee is willing to maintain operations under the subject certificate.

5. As of February 18, 1988, the owner of transferee had a net worth of approximately \$62,000 and owned several buses.

6. No consideration is involved in the transfer.

7. The proposed transfer is not adverse to the public interest.

8. A public hearing is not necessary.

Conclusion of Law

The application should be granted.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

ORDER

IT IS ORDERED that:

1. By July 31, 1988, Chuck H. White may sell and transfer the operative rights (and property) specified in the application to Sierra Trolley Company.

2. Purchaser shall:

- a. File with the Transportation Division written acceptance of the certificate and a copy of the bill of sale or other transfer document within 30 days after transfer.
- b. Amend or reissue seller's tariffs and timetables, state in them when the service will start, make them effective 10 days or more days after this order is effective, and allow at least 10 days' notice to the Commission.
- c. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.
- d. File an annual report of seller's operations for the period from the first day of the current year to the date of transfer.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.
- f. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.

3. If the transfer is completed, on the effective date of the tariffs a certificate of public convenience and necessity is granted to Sierra Trolley Company, a corporation, authorizing it to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in Appendix PSC-1448, to transport persons, baggage, and/or express.

4. The certificate of public convenience and necessity granted by Decision 87-07-008 is revoked on the effective date of the tariffs.

This order is effective today.

Dated APR 27 1988, at San Francisco, California.

STANLEY W. HULETT
President

DONALD VIAL
FREDERICK R. DUDA
C. MITCHELL WILK
JOHN B. O'HANIAN
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.

Victor Weisser
Victor Weisser, Executive Director

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CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION

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

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 88 04 043, dated APR 27 1988
of the Public Utilities Commission of the State of California, in
Application 88-03-007.

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

This certificate supersedes all operative authority previously granted to Chuck H. White.

Sierra Trolley Company by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation to provide on-call services to transport passengers and baggage between points and package express between Fresno and Bass Lake and between Bass Lake and Yosemite Village, subject to the authority of this Commission to change or modify this authorization 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. This certificate does not authorize the holder to conduct any operation on property of or into any airport unless such operations are authorized both by this Commission and by the airport authority involved.
- d. Service shall be provided in vehicles with seating capacity not to exceed 15 passengers, excluding the driver.

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- e. Service shall be on a regularly scheduled daily basis between Bass Lake and Fresno. Service between Yosemite Village and Bass Lake shall be on a seasonal schedule.

SECTION 2. ROUTE DESCRIPTION.

FRESNO - OAKHURST - BASS LAKE - YOSEMITE VILLAGE

Commencing at the intersection of Broadway and Tulare Street in the City of Fresno, thence south via Broadway, Van Ness Avenue, State Route 41, McKinley Avenue, Clinton Way, Fresno Air Terminal Drive, Gateway Avenue, McKinley Avenue to State Route 41 and north via State Route 41 to Road 222 in Oakhurst, east via Road 222 and North Shore Drive to Beasore Road in Bass Lake, north via Beasore Road to Malum Ridge Road, west via Malum Ridge Road and Road 222 to State Route 41, north via State Route 41 to Yosemite Lodge in Yosemite National Park.

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SECTION 3. DESIGNATED SERVICE POINTS.

Fresno County

Downtown Fresno
Fresno Air Terminal
North Fresno

Madera County

Rolling Hills
Intersection Highway 41 and Highway 145
Black Hawk
Indian Lakes Junction
Coarsegold
Oakhurst
Bass Lake
Cedar Valley Junction

Mariposa County

Fish Camp
Yosemite Village Lodge

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