

Decision No. 86685**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of)
 JERRY RAY, doing business as TAHOE)
 CITY STAGE, for certificate of) Application No. 56629
 public convenience and necessity to) (Filed July 21, 1976)
 operate passengers and their baggage) (Corrected August 19, 1976)
 between Tahoe City and South Lake)
 Tahoe Airport and return.)

O P I N I O N

By this application, Jerry Ray, doing business as Tahoe City Stage, seeks a Certificate of Public Convenience and Necessity to operate as a Passenger Stage Corporation nonstop between Tahoe City and South Lake Tahoe Airport. We take official notice that the correct name of that facility is Tahoe Valley Airport. Applicant proposes to provide service dependent on flight schedules at Tahoe Valley Airport using a sixteen-passenger vehicle. The one-way fare for the service will be \$7.00 per person.

The Commission's Transportation Division staff recommended granting the requested authority if no protest or request for public hearing is received. A protest was received from Gray Line Scenic Tours which was withdrawn after the application was corrected.

After consideration the Commission finds that public convenience and necessity require the granting of the application. It can be seen with certainty that there is no possibility that the project involved in this proceeding may have a significant effect on the environment. A public hearing is not necessary.

Jerry Ray 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 Jerry Ray, 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 of this decision.

2. 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 98-Series and the insurance requirements of the Commission's General Order 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.
- (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 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 shall be twenty days after the date hereof.

Dated at San Francisco, California,
this 30th day of NOVEMBER, 1976.

President
William J. ...

Leonard Ross

Robert ...
Commissioners

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

DDM

Appendix A

Jerry Ray dba
TAHOE CITY STAGE

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION

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. 86685, dated NOV 30 1976,
of the Public Utilities Commission of the State of California, in
Application No. 56629.

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

Jerry Ray, dba Tahoe City Stage, by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin, is authorized to operate as a passenger stage corporation to transport passengers and their baggage, between Tahoe City and Tahoe Valley Airport, and intermediate points, 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) When route descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.
- (b) Only passengers destined to or originating at Tahoe Valley Airport are to be transported.
- (c) Only passengers whose origin or destination is between Tahoe City and Camp Richardson are to be transported.
- (d) Alternate Route may be operated only when the regular route is closed to vehicle traffic.

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SECTION 2. ROUTE DESCRIPTIONS.

Regular Route

From Tahoe City along State Highway 89 and U.S. Highway 50 to the Tahoe Valley Airport.

Alternate Route

For traverse purposes only when regular route is closed to vehicular traffic.

From Tahoe City along California State Highway 28, Nevada State Highway 28, U. S. Highway 50 to the Tahoe Valley Airport.