

ORIGINAL

Decision No. 87370 May 24 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application	)	
of Dorothy J. Peel (Purchaser)	)	
and Robert Dugger (Seller) for	)	Application No. 57021
authorization to transfer	)	(Filed January 20, 1977)
Certificate of Passenger Stage	)	
Service.	)	

O P I N I O N

By Decision No. 85457 in Application No. 55972 Robert Dugger was issued a Certificate of Public Convenience and Necessity to operate as a passenger stage corporation (PSC-983) between Redding and Redding Municipal Airport.

By Application No. 57021 Robert Dugger, hereinafter referred to as seller, requests authority to transfer his Certificate of Public Convenience and Necessity to transport passengers and express to Dorothy J. Peel, 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 January 21, 1977. 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 revocation of the certificate presently held by Robert Dugger and the issuance of a certificate in appendix form to Dorothy J. Peel, 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 August 1, 1977, Robert Dugger may sell and transfer the operative rights referred to in the application to the purchaser Dorothy J. Peel, 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 she has adopted or established, as her 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 Dorothy J. Peel, doing business as Airport Bus Service, authorizing her 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. 85457 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.

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7. Purchaser will maintain her 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 her 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 Los Angeles, California, this 24<sup>th</sup> day of MAY, 1977.

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President  
*William J. Brown*  
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*Vernon L. Sturgeon*  
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*Richard D. Swartz*  
\_\_\_\_\_  
Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

ANV

Appendix A

Dorothy J. Peel  
dba  
AIRPORT BUS SERVICE

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CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

NO. 983

TO OPERATE AS A 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. 87370,  
dated MAY 24 1977, 1977, of the Public Utilities  
Commission of the State of California, in Application No. 57021.

Dorothy J. Peel, 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.