

Decision No. 87689 AUG 9 - 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application )  
of RONALD R. HASSLER and )  
GARY L. TUFTS, a partnership dba )  
INTER MOUNTAIN STAGE COMPANY for )  
authorization to transfer the )  
one-half interest of GARY L. )  
TUFTS to RALPH E. SIMON. )

Application No. 57176  
(Filed March 29, 1977)

O P I N I O N

By Decision 86020 in Application 56448, Ronald R. Hassler and Gary L. Tufts, a partnership, doing business as Inter Mountain Stage Company, were issued a Certificate of Public Convenience and Necessity to operate as a passenger stage corporation (PSC-999) between Redding and Alturas, California.

In this application the co-owner, Mr. Gary L. Tufts, referred to as seller, requests authority to transfer his half interest in the Inter Mountain Stage Company to Mr. Ralph E. Simon, referred to as buyer.

The seller finds the area, climate and work requirements unsuitable for him and wishes to pursue his trade as clerk in produce service in San Jose, California.

The seller and buyer entered into a written agreement on the terms and conditions for the transfer of their half interest in the Inter Mountain Stage Company. The parties have agreed that the purchase price for the half interest in Inter Mountain Stage Company will be the sum of four thousand dollars (\$4,000.00). The seller also agreed to surrender all rights and claims against the partnership, including the principal amount of three hundred and ninety dollars (\$390.00) owed to him by the partnership. The buyer also agreed to fulfill the duties and responsibilities assigned to him by the partnership agreement with Mr. Hassler and to accept Mr. Tuft's (seller) portion of the assets and liabilities.

An agreement of partnership was entered into by and between Ronald R. Hassler and Ralph E. Simon for the purpose of operating the transportation business, known as the Inter Mountain Stage Company, between Redding, California and Alturas, California.

The application was listed on the Commission's Daily Calendar of March 30, 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 Ronald R. Hassler and Gary L. Tufts and the issuance of a certificate in appendix form to Ronald R. Hassler and Ralph E. Simon, doing business as Inter Mountain Stage Company.

The owners of Inter Mountain Stage Company 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

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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, 1977, Gary L. Tufts, half owner of Inter Mountain Stage Company, may sell and transfer his rights and interests in the Inter Mountain Stage Company to Ralph E. Simon, the new partner of Ronald R. Hassler.
2. Within thirty days after the transfer, the new partners shall file with the Commission written acceptance of the certificate and a true copy of the bill of sale or other instrument of transfer of the half interest in Inter Mountain Stage Company.
3. The new owners shall amend or reissue the tariffs and timetables on file with the Commission, naming rates and rules governing the common carrier operations and show that the new owners 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, as set forth in the Commission's General Orders Nos. 79-Series and 98-Series. Failure to comply with the provisions of General Order 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 Ronald R. Hassler and Ralph E. Simon, a partnership, authorizing them to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between Redding, California and Alturas, California over the route set forth in Appendix A, attached hereto and made a part hereof.

5. The Certificate of Public Convenience and Necessity granted by Decision 86020 is revoked effective concurrently with the effective date of the tariff filings required by Paragraph 3.

6. The new owners 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. The new owners 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 9th day of AUGUST, 1977.

Robert Balen  
President

William S. S. S.  
Clare L. S. S.

Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

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

Ronald R. Hassler  
and  
Ralph E. Simon  
A Partnership  
dba

INTER MOUNTAIN STAGE COMPANY

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
NO. 999

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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. 87683, dated  
AUG 9 1977 of the Public Utilities Commission of the  
State of California, in Application No. 57176.

and  
Ralph E. Simon  
A Partnership  
dba

INTER MOUNTAIN STAGE COMPANY

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

Ronald R. Hassler and Ralph E. Simon, doing business  
Inter Mountain Stage Company, by the Certificate of Public  
Convenience and Necessity granted by the decision noted in  
the margin, are authorized as a passenger stage corporation, to  
transport passengers, baggage and express between Redding and  
Alturas and intermediate points, over and along the route herein-  
after 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 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 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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INTER MOUNTAIN STAGE COMPANY

SECTION 2. ROUTE DESCRIPTION

Route 1 - Redding - Alturas

Commencing from Greyhound Bus Depot, Redding, thence via Pine Street, Eureka Way, North Market Street, Lake Blvd. East 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, Hubiebor, 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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