

Decision No. 89601 ; OCT 31 1978

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of W. L. and H. C. Murphy  
 doing business as Yosemite Gold Country  
 Stage for a Certificate of Public Con-  
 venience and Necessity to operate a  
 Passenger Stage Corporation.

)  
 )  
 ) Application No. 58034  
 ) (Filed April 28, 1978)  
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O P I N I O N

W. L. and H. C. Murphy, doing business as Yosemite Gold Country Stage, hold Permit No. TCP-843-P to operate as a charter-party carrier of passengers. W. L. Murphy and H. C. Murphy, d.b.a. Yosemite Airlines, are authorized by Decision 88785, signed May 2, 1978, in Application 57870, to operate as a passenger air carrier as defined in Section 274D of the Public Utilities Code.

Applicants, by Decision 85877, signed May 25, 1976, were granted by this Commission a temporary certificate for passenger air service contingent upon adequate ground transportation between Pine Mountain Airport and Yosemite Valley. Applicants obtained a permit as a charter-party carrier of passengers August 5, 1977. Commission Decision 88785, signed May 2, 1978, noted that, "In 1977, 437 (22.7%) of the total passengers carried by Yosemite Airlines had either their origin or destination at Pine Mountain Lake, an increase of 177 percent over 1976. This increase occurred in spite of a lack of scheduled bus-type public transportation between Pine Mountain Lake Airport and Yosemite National Park; a large percentage of the Pine Mountain Lake passengers are bound for Yosemite Park."

By the instant application, applicants propose scheduled bus-type service which the Commission alluded to in the previous decisions quoted above.

The granting of this application will provide adequate passenger stage transportation between Yosemite/Pine Mountain Lake Airport and Yosemite National Park, thereby supporting air service schedules, of the above said Decision 88785.

Applicants will use either a six-passenger stationwagon or an eight-passenger van for a proposed one-way fare of \$8.00 per person from

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Yosemite/Pine Mountain Lake Airport to Yosemite Valley, or \$16.00 per person round trip. Three schedules per week are planned on Monday, Wednesday and Friday during the seasonal period of June through August. The schedules connect directly with Yosemite Airlines' scheduled flights.

The basic route is as follows:

Commencing from Yosemite/Pine Mountain Lake Airport, then easterly along Ferretti Road, California State Highway 120 (120), Big Oak Flat Road and appropriate roads to Curry Village, Ahwahnee Hotel and Yosemite Lodge in Yosemite National Park, returning in the reverse direction.

Alternate routes are as follows:

1. From the junction of Big Oak Flat Road with Highway 120, and northerly along Highway 120 approximately 0.5 mile to the east junction of Big Trees Road, thence westerly along Big Trees via Tuolumne Grove Big Trees to its west junction with Highway 120.

2. To or from Yosemite/Pine Mountain Lake Airport, using the westerly portion of Ferretti Road to its west junction with Highway 120 and along Highway 120 through the Town of Groveland to the east junction of Ferretti Road.

The application was listed on the Commission's Daily Calendar of May 2, 1978. Applicants stated that copies of this application were sent to Yosemite Transportation Company, Yosemite National Park, Tuolumne County Board of Supervisors, Mariposa County Board of Supervisors, Greyhound Lines, Inc., and Yosemite Park and Curry Company.

#### F I N D I N G S

Applicants propose to assess individual fares for passenger service between Pine Mountain Lake Airport and Yosemite National Park.

Ownership and operation of this proposed passenger stage corporation (Yosemite Gold Country Stage) by Yosemite Airlines, a passenger air carrier, is not adverse to the public interest.

It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

No protests to this application have been received.

C O N C L U S I O N S

The service proposed by the applicants is common carrier passenger stage corporation service.

Public convenience and necessity require the granting of the application.

W. L. and H. C. Murphy, d.b.a. Yosemite Gold Country Stage, 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 granting 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 or 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 W. L. and H. C. Murphy, doing business as Yosemite Gold Country Stage, authorizing them to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between Yosemite/Pine Mountain Lake Airport and Yosemite Valley and over the route set forth in Appendix A of this decision.
2. In providing service pursuant to the authority granted by this order, applicants 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, applicants shall file a written acceptance of the certificate granted. Applicants are placed on notice that if they accept the certificate, they 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) During the seasonal period of June through August of 1979, in lieu of the one hundred twenty days after the effective date of this order, applicants

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 ten days after the effective date of this order on not less than ten 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) Applicants 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 thirty days after the date hereof.

Dated at San Francisco, California, this 31<sup>st</sup> day of OCTOBER, 1978.

Robert Bateman  
President  
William J. ...  
Vernon L. ...  
Robert P. ...  
Clair T. ...  
Commissioners

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Appendix A

W. L. and H. C. Murphy  
doing business as  
YOSEMITE GOLD COUNTRY STAGE

Original Title Page

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
TO OPERATE AS A  
PASSENGER STAGE CORPORATION  
PSC-1042

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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. 89601  
dated OCT 31 1978 of the Public Utilities Commission  
of the State of California, in Application No. 58034.

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

W. L. and H. C. Murphy, doing business as YOSEMITE GOLD COUNTRY STAGE, by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin, are authorized to transport passengers between Yosemite/Pine Mountain Lake Airport on the one hand and Yosemite Valley on the other hand, 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 terminal and intermediate points, in either direction, at intersections of roads or by operating around an area 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) All service herein authorized shall be limited to the transportation of one-way and round-trip passengers.
- (d) Applicants shall not pick up or discharge passengers except at the specified service point or points as hereinafter set forth. This restriction shall not prevent stopovers for the purpose of permitting sightseeing passengers to visit various points of interest along the route.
- (e) Service shall be operated Monday, Wednesday, and Friday during the seasonal period of June 1 through August 31 of each year.

## SECTION 2. SERVICE POINTS

Passengers may be picked up and discharged at any of the following described points, subject to local traffic regulations:

1. Yosemite/Pine Mountain Lake Airport
  - (a) Terminal Facility.
2. Yosemite Valley
  - (a) Curry Village.
  - (b) Ahwahnee Hotel.
  - (c) Yosemite Lodge.

## SECTION 3. ROUTE DESCRIPTIONS

1. Basic Route

From Yosemite/Pine Mountain Lake Airport, thence easterly on Ferretti Road to its east junction with California State Highway 120 (120), thence easterly on 120 to the west junction of a one-way westbound road from Tuolumne Grove Big Trees (Big Trees Road) continuing easterly on 120 to its junction with Big Oak Flat Road, thence along Big Oak Flat Road and appropriate roads to Curry Village, Ahwahnee Hotel and Yosemite Lodge in Yosemite National Park, returning in the reverse direction, to Yosemite/Pine Mountain Lake Airport.

2. Alternate Route

(a) From the junction of Big Oak Flat Road with 120 and northerly along 120 approximately 0.5 mile to the east junction of Big Trees Road, thence westerly along Big Trees Road via Tuolumne Grove Big Trees to its west junction with 120.

(b) To or from Yosemite/Pine Mountain Lake Airport using the westerly portion of Ferretti Road to its west junction with 120 and along 120 through the Town of Groveland to the east junction of Ferretti Road,

(END OF APPENDIX A)