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Decision No. 90453 JUN 19 1979

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)

SIERRA HIGHLANDS BUS CO., INC. )  
 For certificate of public con- )  
 venience and necessity to operate )  
 (2) passenger stage service between )  
 Fresno, California and Fish Camp, )  
 California. )

Application No. 58707  
 (Filed February 28, 1979)

O P I N I O N

Sierra Highlands Bus Co., Inc., a California corporation, requests a Certificate of Public Convenience and Necessity to operate as a passenger stage corporation between the ~~City of~~ Fish Camp on the one hand and certain points within the City of Fresno, on the other hand.

Applicant intends to utilize 29-passenger or larger buses to operate the service. Applicant alleges that there is a demand for the proposed intercity service and that no comparable public transportation is available between the points proposed in the application.

The application was listed on the Commission's Daily Calendar of March 1, 1979. 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. No protest has been received.

Applicant proposes to charge the following fares:

| Between Fresno and: | One Way | Round Trip | Monthly Commuter |
|---------------------|---------|------------|------------------|
| Fish Camp           | \$4.05  | \$7.66     | \$134.82         |
| Oakhurst            | 3.05    | 5.80       | 102.10           |
| Rd. 425C            | 2.80    | 5.35       | 94.20            |
| Coarsegold          | 2.55    | 4.85       | 85.40            |
| Rd. 417             | 2.40    | 4.60       | 81.00            |
| Yosemite Lakes      | 2.00    | 3.80       | 67.00            |
| O'Neal Cutoff       | 1.90    | 3.60       | 63.40            |
| Hwy 145             | 1.30    | 2.50       | 44.00            |
| Ave 14              | 1.10    | 2.10       | 37.00            |
| Ave 12              | .90     | 1.75       | 30.80            |
| Ave 10½             | .85     | 1.65       | 29.00            |

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

1. Public convenience and necessity required the proposed service.
2. The applicant has the ability, equipment and financial resources to perform the proposed service.
3. The proposed fares are reasonable.
4. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

#### C O N C L U S I O N

The Commission concludes that the application should be granted. A public hearing is not necessary.

Sierra Highlands Bus Company, Inc. 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 Sierra Highlands Bus Co., Inc. authorizing it 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 the 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 it accepts the certificate it 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 No. 98-Series, and the insurance requirements of the Commission's General Order No. 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 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 Nos. 79-Series and 98-Series.

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- (e) Applicant shall maintain its 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 its 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 16th day of JUNE, 1979.

John E. Guyer  
President

Henry L. Stanger

Robert D. Howell

Charles T. DeGruh

Edward W. Smith  
Commissioners

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
TO OPERATE AS A PASSENGER STAGE CORPORATION  
PSC-1076

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. 90453, dated JUN 19 1979  
of the Public Utilities Commission of the State of California, in  
Application No. 58707.

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

Sierra Highlands Bus Company, Inc., by the Certificate of Public Convenience and Necessity, granted by the decision noted in the margin, is authorized to transport passengers between the Trailways' Terminal within the City of Fresno, on the one hand and Fish Camp, on the other hand, and along the route hereinafter 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) In the northbound direction, no passengers shall be discharged between the Trailways' Terminal and Ave 10½.
- (b) In the southbound direction, no passengers shall be picked up between Ave 10½ and the Trailways' Terminal.
- (c) Motor vehicles may be turned at termini and intermediate points, in either direction, at intersections of streets or by operating a block contiguous to such intersections, in accordance with local traffic regulations.
- (d) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.

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## SECTION 2. ROUTE DESCRIPTION.

## Route 1.

Commencing at the Trailways' Station, 1333 Broadway, in the City of Fresno, south on Broadway to H Street, south on H Street to the Greyhound Station, 1033 H Street, east on Mariposa Street to Broadway, north on Broadway to Fresno Street, east on Fresno Street to P Street, north on P Street to Abby Street, north on Abby Street to Blackstone Street (SR 41), north on SR 41 to Fish Camp; return commencing at Fish Camp south on SR 41 to O Street, south on O Street to Fresno Street, west on Fresno Street to Broadway, south on Broadway to the Trailways' Station.

(END OF APPENDIX A)

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