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Decision No. 90456 JUN 19 1979**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application)
of)STEVEN NORRIS ANDREWS)
For certificate of public con-)
venience and necessity of operate:)Application No. 58799
(Filed April 11, 1979)A passenger and baggage express)
service between Watt Avenue Bridge)
and Sunrise Blvd. Bridge via)
Folsom Blvd.)O P I N I O N

Steven Norris Andrews, an individual, seeks a certificate of public convenience and necessity to operate as a passenger stage corporation transporting rafters and their rafts. The proposed service area would be along the American River in Sacramento County between the downstream Watt Avenue Bridge and the upstream Sunrise Boulevard Bridge. Applicant proposes to operate Friday, Saturday and Sunday, leaving Watt Avenue on the hour, every hour starting at noon and operating until dark during the season April 1 through October. The eight mile route along Folsom Boulevard would include a seven minute stopover at C.M. Goethe Park enroute to the Sunrise Boulevard Bridge. Applicant plans to use a 52-passenger GMC Bus, and to charge individual fares of \$1.00 for transportation of the rafter and this includes transportation of the raft.

Applicant alleges in his application that the popularity of river rafting has been growing yearly to the extent of becoming one of the more popular sports for Sacramento residents, and that the proposed passenger stage service would alleviate parking at the Watt Avenue Bridge, and that by eliminating traffic, fuel consumption and auto pollutants the proposed service will benefit the environment enjoyed by rafters using the American River.

Exhibit E, attached to the application, indicates that total assets exceed the applicant's liabilities.

The application was listed on the Commission's Daily Calendar of April 11, 1979 and also April 16, 1979 with correction. A copy of the application was served on the City and County of Sacramento. No protests have been received. The County of Sacramento Department of Parks and Recreation sent a statement that "I have no objection to the issuance of the certificate." A public hearing is not necessary. The project involved in this proceeding will not have a significant effect on the environment.

We find that the applicant has the financial resources and ability to operate the proposed service. We find that public convenience and necessity require that the application be granted and conclude that the certificate set forth in Exhibit A should be issued to applicant.

Applicant 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 Steven Norris Andrews, an individual, 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 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.
- (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 is the date hereof to accommodate the recreation season which has now commenced.

Dated at San Francisco, California, this 19th day of JUNE, 1979.

John E. Bryson
President

Henry L. Stanger

Robert C. Givelle

Clare T. Friedrich

Samuel W. ...
Commissioners

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE
AS A PASSENGER STAGE CORPORATION
PSC-1073

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. 90456,
dated JUN 19 1979, of the Public Utilities
Commission of the State of California, in Application No. 58799.

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

Steven Norris Andrews, by the certificate of public convenience and necessity granted by the decision noted in the margin is authorized to transport rafters and their rafts for recreational purposes between points adjacent to the American River in Sacramento County, as hereinafter described, in Section 2; 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 termini and intermediate points, in either direction, at the 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) Service shall be operated Friday, Saturday and Sunday, during the seasonal period April through October of each year.
- (d) Applicant shall not pick up or discharge passengers except at the specified service point or points as hereinafter set forth.

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SECTION 2. SERVICE POINTS.

Passengers may be pickup and discharged at any of the following described points, near the American River Parkway, subject to local traffic regulations:

1. Downstream Pickup Point
 - (a) La Riviera Drive/Watt Avenue Bridge
2. C.M. Goethe Park (Alternate Pickup point)
 - (a) Rod Beaudry Drive/American River Parkway
3. Upstream Discharge Point
 - (a) Citrus Road/Perdeta Lane
 - (b) Sunrise Boulevard/American River Parkway

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SECTION 3. ROUTE DESCRIPTIONS.

1. Basic Route

From La Riviera Drive/Watt Avenue Bridge, thence southerly on Watt Avenue to its south junction with Folsom Boulevard, thence easterly on Folsom Boulevard to the south junction of a road to C.M. Goethe Park (Rod Beaudry Drive) continuing easterly on Folsom Boulevard to its junction with Sunrise Boulevard, continuing easterly on Folsom Boulevard to its junction with Citrus Road, thence northerly along Citrus Road to Perdeta Lane near the American River, returning in the reverse direction, to the Watt Avenue Bridge.

2. Alternate Route.

(a) To or from C.M. Goethe Park boundary using Rod Beaudry Drive with its junction to Folsom Boulevard.

(b) From the junction of Sunrise Boulevard with Folsom Boulevard and northerly along Sunrise Boulevard to the American River Parkway, returning in the reverse direction.

(END OF APPENDIX A)

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