

AUG 28 1979

Decision No. 90727**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of John T. Carson for certificate of public convenience and necessity to operate a passenger stage (auto stage) carrying passengers and baggage between 150 Broadway, El Cajon, California, Grossmont Shopping Center, La Mesa, California, and Lindbergh Field, San Diego, California.

Application No. 58822
(Filed April 19, 1979)

O P I N I O N

By this application John T. Carson, a sole proprietorship, seeks a passenger stage certificate to transport passengers and attendant baggage between points in El Cajon and La Mesa, on the one hand, and San Diego International Airport-Lindbergh Field (SAN), on the other hand.

Applicant proposes the use of two Cadillac sedans and one Ford station wagon to make nine daily round trips. Schedules will leave from El Cajon on even-numbered hours (6:00 a.m. to 10:00 p.m.), from SAN on odd-numbered hours (7:00 a.m. to 11:00 p.m.). All schedules will make an intermediate stop at La Mesa. Applicant proposes a \$7.00 per-person charge for the service.

The application was listed on the Commission's Daily Calendar on April 25, 1979. At the staff's request, copies of the application were furnished to San Diego Transit Corporation, to Greyhound Lines, Inc., to the cities of El Cajon, La Mesa, and San Diego. On June 15, 1979, San Diego Transit Corporation informed our staff that it would not protest the application. There were no other responses relative to the application. 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.

After consideration the Commission finds that public convenience and necessity require the granting of the application. It can be seen with certainty that there is no possibility that the project involved in this proceeding may have a significant effect on the environment. A public hearing is not necessary.

John T. Carson 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 John T. Carson, authorizing him to operate as a passenger stage corporation as defined in Section 226 of the Public Utilities Code, between points in El Cajon and La Mesa, on the one hand, and San Diego International Airport-Lindbergh Field, on the other hand, and subject to the conditions 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 to do so may result in a cancellation of this 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

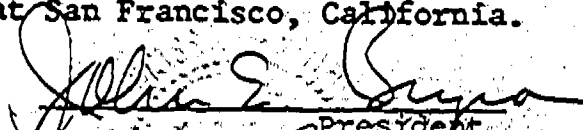
rules administered by the California Highway Patrol, the rules and other regulations of the Commission's General Order 98-Series and the insurance requirements of the Commission's General Order 101-Series.

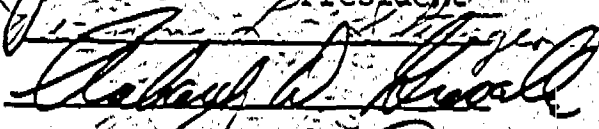
- (b) Within one hundred twenty days after the effective date of this order, applicant shall establish the authorized service and file tariffs and timetables, in triplicate, in the Commission's office.
- (c) The tariff and timetable filings shall be made effective not earlier than five days after the 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 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) 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 shall be thirty days after the date hereof.

Dated AUG 28 1979, at San Francisco, California.

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.



President




Commissioners

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION

PSC - 1080

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. 90727
dated AUG 28 1979, 19 , of the Public Utilities
Commission of the State of California, in Application No. 58822.

GENERAL AUTHORIZATIONS, RESTRICTIONS, AND SPECIFICATIONS.

John T. Carson, a sole proprietorship, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to operate as a passenger stage corporation to transport passengers and their baggage between points in El Cajon and La Mesa, on the one hand, and San Diego International Airport-Lindbergh Field, on the other hand, over and along the most direct or reasonable route or routes, subject, however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- (a) No passengers shall be transported except those having point of origin or destination at San Diego International Airport-Lindbergh Field.
- (b) Passengers shall be picked up and discharged at a terminal each in the cities of El Cajon and La Mesa, said points to be named in applicant's tariffs and timetables filed with the Commission.

(END OF APPENDIX A)