

Decision No. 90987 NOV 6 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of }
READY TOURS CORPORATION, a Califor- }
nia corporation, for authority to }
acquire a passenger stage certifi- }
cate of public convenience and }
necessity of FRANKLIN F. STEELE, }
dba Steele Transportation. }

Application No. 58802
(Filed April 13, 1979)

O P I N I O N

Ready Tours Corporation (Ready Tours) applies for authority to acquire the passenger stage certificate of public convenience and necessity of Franklin F. Steele, doing business as Steele Transportation (Steele).

Steele's principal office is in Napa. Its certificate entitles him to transport passengers between the city of Napa and Mare Island Naval Shipyard.

Steele has agreed to sell his authority to Ready Tours. The application recites that the transfer of the authority is in the public interest because Steele has determined to discontinue passenger stage business and that the transfer to Ready Tours will allow the service to continue. The present equipment of Ready Tours, consisting of two TDM 4515 buses accommodating 45 passengers, will be committed to the service.

Norman Springer, president of Ready Tours, was a driver for Greyhound for 13 years and is familiar with passenger stage safety requirements. A financial statement of Ready Tours attached to the application indicates total assets of \$336,000 including cash on hand of \$20,000 and liabilities of \$131,000. The financial statement demonstrates adequate financial responsibility for the transfer.

Copies of the application were served on the city of Napa, the Employee Services Division of Mare Island Naval Shipyard, and the Peterson Bus Company of Napa. There are no protests to the application.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest and concludes that it should be authorized. A public hearing is not necessary. Since there are no protests and since Steele wishes to discontinue operations, we find that we should make this decision effective the date hereof. The order which follows will provide for, in the event the transfer is completed, the revocation of the certificate presently held by Franklin F. Steele, dba Steele Transportation, and the issuance of a certificate in appendix form to Ready Tours Corporation.

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. On or before March 1, 1980 Franklin F. Steele may sell and transfer the operative rights referred to in the application to Ready Tours Corporation.
2. Within thirty days after the transfer the purchaser shall file with the Commission written acceptance of the certificate and a true copy of the bill of sale or other instrument of transfer.
3. Purchaser shall amend or reissue the tariffs and timetables on file with the Commission, naming rates and rules governing the common carrier operations transferred to show that it has adopted or established, as its own, the rates and rules. 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 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 set forth in the Commission's General Orders Nos. 79-Series and 98-Series. Failure to comply with the provisions of General Orders Nos. 79-Series and 98-Series may result in a cancellation of the operating authority granted by this decision.

4. On or before the end of the third month after the transfer, the purchaser shall cause to be filed with the Commission, in such form as the Commission may prescribe, an annual report, or reports, related to the operations of the seller for the period commencing with the first day of the current year to and including the effective date of the transfer.

5. 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 Ready Tours Corporation, a corporation, 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.

6. The certificate of public convenience and necessity granted by Decision No. 76681 is revoked effective concurrently with the effective date of the tariff filings required by paragraph 3.

7. Purchaser shall comply with the safety rules administered by the California Highway Patrol, the rules and regulations of the Commission's General Order No. 98-Series, and the insurance requirements of the Commission's General Order No. 101-Series.

8. 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 is the date hereof.

Dated NOV 6 1979, at San Francisco, California.

John E. Bryan
President
James L. ...
Richard D. ...
Alvin J. ...
James ...
Commissioners

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC - 1088

Showing passenger stage operative rights, restrictions, limitations,
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. 90987,
dated NOV 6 1979, 1979 of the Public Utilities
Commission of the State of California, in Application No. 58802.

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

The certificate hereinafter noted supersedes all operative authority heretofore granted to Franklin F. Steele, doing business as STEELE TRANSPORTATION, or its predecessors.

Ready Tours Corporation, a California corporation, by the Certificate of Public Convenience and Necessity to operate as a passenger stage corporation granted by the decision noted in the margin, is authorized to transport passengers between the City of Napa corporate limits and within a radius of two miles of said corporate limits, on the one hand, and the Mare Island Naval Shipyard, on the other hand, and intermediate points along State Highway 29, south to Napa Junction over the route hereinafter described, subject to the following provisions:

1. Only passengers destined to or originating at Mare Island Naval Shipyard who are employees or prospective employees at that facility shall be transported.
2. Service shall be operated only at times necessary to meet employee day shift needs.

SECTION 2. ROUTE DESCRIPTION

Commencing in the City of Napa or any point within two miles of the City of Napa corporate limits; thence to and along State Highway Routes 12-29; thence along State Highway Route 29 and State Highway Route 37 to Mare Island Naval Shipyard and return via the same routing.

Issued by California Public Utilities Commission.

Decision No. 90987, Application No. 58802.