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Decision No. 91458 MAR 18 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application
of MISSION TRAILS CHARTER SERVICE,
INC., a California corporation and
FALCON CHARTER SERVICE, a California
corporation, for authority to transfer
the Certificate of Public Convenience
and Necessity to operate as a
Passenger Stage Corporation issued
in Decision No. 79987 pursuant to
the provisions of section 851,
et seq. of the California Public
Utilities Code.

Application No. 57402
(Filed June 22, 1977;
amended July 11, 1977)

FINAL OPINION

Decision No. 87762, dated August 23, 1977, in this matter authorized the transfer of the certificate of public convenience and necessity to operate as a passenger stage corporation (PSC-911) from Falcon Charter Service (Falcon) to Mission Trails Charter Service, Inc. (Mission Trails) on an interim basis.

The Commission was concerned about the future viability and financial position of Mission Trails and found that the Commission staff should review the operations and the financial position of Mission Trails after 18 months of operation.

The Commission staff has reviewed the present financial position and operations of Mission Trails and finds the conditions are such that it has no objection to the transfer being made permanent. A copy of the staff report is made part of the record in this proceeding as Exhibit No. 1.

We find that transfer of the operative right on a permanent basis will not be adverse to the public interest. The interim authority granted in Decision No. 87762 should be made final.

Mission Trails 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.

FINAL ORDER

IT IS ORDERED that:

1. The interim certificate of public convenience and necessity (PSC-911) issued to Mission Trails Charter Service, Inc. by Decision No. 87762 dated August 23, 1977 in Application No. 57402 and amended and reissued by Decision No. 91170, dated December 18, 1979 in Application No. 59117, is hereby made permanent by the First Revised Title Page and First Revised Page 1 attached hereto as 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 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.

A. 57402 PWL

- (b) 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 MAR 18 1980, at San Francisco, California.



President







Commissioners

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

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Appendix A
(D.91170)

MISSION TRAILS CHARTER
SERVICE, INC.
(a corporation)

First Revised Title Page
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CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE
AS A PASSENGER STAGE CORPORATION
PSC - 911

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.

Reissued under authority of Decision No. 91458,
dated MAR 18 1980, of the Public Utilities Commission
of the State of California, in Application No. 57402.

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Appendix A
(D.91170)

MISSION TRAILS CHARTER
SERVICE, INC.
(a corporation)
(PSC-911)

First Revised Page 1
Cancels
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SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS AND SPECIFICATIONS.

The certificate hereinafter noted supersedes all passenger stage operative authority heretofore granted to Mission Trails Charter Service, Inc. and/or to Falcon Charter Service.

Mission Trails Charter Service, Inc., a California corporation, by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation, to transport passengers between Foster City and San Mateo, on the one hand, and the City of San Francisco, on the other hand, over 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 intersections of streets or by operating around a block 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) Applicant shall not pick up or discharge passengers except along the routes hereinafter described within the City of Foster City and the City of San Mateo, and/or within the City and County of San Francisco as hereinafter set forth.
- (d) The "Commercial District" as used herein includes that area bounded by Kearny Street, Jackson Street, Battery Street, California Street, Market Street, The Embarcadero, Folsom Street, Sixth Street, Taylor Street, and Sutter Street.
- (e) The "Civic Center District" as used herein includes that area bounded by Turk Street, Polk Street, Grove Street and Larkin Street.

Reissued by California Public Utilities Commission.

Decision No. 91458, Application No. 57402.