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Decision No. 91602 APR 15 1980**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of Peter Lawrence Heine, dba THE)
MENDOCINO STAGE, for authority)
to extend his existing route for)
the transportation of passengers)
and express between Ft. Bragg and)
Westport, California, and certain)
points between.)

Application No. 59449
(Filed February 13, 1980)

O P I N I O N

Peter Lawrence Heine, doing business as THE MENDOCINO STAGE, is a passenger state corporation operating a regularly-scheduled service along the Mendocino County coastline between Ft. Bragg and Heritage House near Albion. This service is operated pursuant to Certificate of Public Convenience and Necessity PSC-975, issued under authority of Decision No. 85109 dated November 12, 1975.

By this application, Mr. Heine seeks authority to extend his passenger stage service by addition of a new route between Ft. Bragg and Westport, California. Applicant would then provide passenger service along the Mendocino County coastline from Heritage House on the south through the communities of Mendocino and Fort Bragg, to Westport on the north. The proposed new Westport route would be operated so as to coordinate with applicant's existing Heritage House route service as well as with other transportation services in the area. Applicant has the

the support of the Mendocino County Board of Supervisors and a local transportation committee, and anticipates receiving certain tax subsidy funds to help defray the costs of commencing this new passenger stage service. The staff of the Commission's Bus Service Development Program have assisted the applicant in bringing this proposal before the Commission and, in the absence of protest, the staff recommends this application be approved by ex parte order of the Commission. The application was listed on the Commission's Daily Calendar on February 14, 1980, and no protests have been received.

After consideration the Commission finds that public convenience and necessity require the granting of the application, as set forth in the order below. 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.

Peter Lawrence Heine 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 cancelled 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} ~~Convenience~~ and Necessity is 25
granted to Peter Lawrence Heine, doing business as THE MENDOCINO
STAGE, 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. This new certificate shall become effective concu-
rently with the effective date of the tariff and timetable filings
required by paragraph 3(b).

2. The Certificate of Public Convenience and Necessity
^{granted} ~~authorized~~ to Peter Lawrence Heine by Decision No. 85109 is 25
revoked effective concurrently with the effective date of the
tariff and timetable filings required by paragraph 3(b).

3. 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. Appli-
cant 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 Com-
mission'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 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 APR 15 1980, at San Francisco, California.

President
Vernon L. Stinson

Richard D. Howell

Charles T. Davidson

Samuel J. Jones
Commissioners

Commissioner John E. Bryson,
being necessarily absent, did
not participate.

PWL

Appendix A

PETER LAWRENCE HEINE
dba
THE MENDOCINO STAGE

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

(PSC-975)

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. 91602, dated APR 15 1980
of the Public Utilities Commission of the State of California, in
Application No. 59449.

PETER LAWRENCE HEINE
dba
THE MENDOCINO STAGE
(PSC-975)

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

The certificate hereinafter noted temporarily and conditionally supersedes all passenger stage operative authority heretofore granted to Peter ~~Lawrence~~ Heine, doing business as THE MENDOCINO STAGE. SS

Peter Lawrence Heine, an individual doing business as THE MENDOCINO STAGE, 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 and their baggage between the points described in the route descriptions set forth below, and to transport express shipments weighing less than fifty (50) pounds between the points described in the route descriptions set forth below, 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) When route descriptions are given in one direction, apply in either direction unless otherwise indicated.
- (b) Service will be operated daily.

Issued by California Public Utilities Commission.

Decision No. 91602, Application No. 59449.

SECTION II. ROUTE DESCRIPTIONS

Route 1. Fort Bragg/Heritage House - Little River

Commencing from Fort Bragg, thence on and along State Highway 1, stopping at Harbor Light Motel in Noyo, Caspar, Mendocino Hotel, Mendocino, Little River Inn, Little River, thence on Airport Road to "The Woods", return on Airport Road to Little River Airport, return on Airport Road to State Highway 1 and along State Highway 1 to Heritage House located between Little River and Albion.

Route 2. Ft. Bragg/Westport

Commencing at the intersection of Main and Laurel sheets (California Western Railroad depot) in Fort Bragg, thence north along State Highway 1 to Ward Avenue in Cleone (pick-up point), thence north on Highway 1 to the Grange Hall at Inglenook (pick-up point). Thence north along State Highway 1 to the United States Post Office and Community Store in Westport (pick-up point). Return by reverse of same route.

(END OF APPENDIX)

Issued by California Public Utilities Commission.

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