

T/FS

91835

Decision No. _____ MAY 20 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of River Rat and Company, A)
California Corporation)
For certificate of public con-)
venience and necessity to operate)
Passenger and Express services)
between Ancil Hoffman Park,)
Carmichael and Pennsylvania Avenue,)
Fair Oaks (River Rat and Company);)
and between Arden Bar, Carmichael)
and Pennsylvania Avenue, Fair Oaks)
River Rat and Company).)

Application No. 59608
(Filed April 18, 1980)

Interim O P I N I O N

River Rat and Company, a California Company, seeks a certificate of public convenience and necessity to operate as a passenger stage corporation transporting rafters and their rafting equipment from Ancil Hoffman Park and Arden Bar both in Carmichael on the one hand and River Rat and Company, 9840 Fair Oaks Boulevard, Fair Oaks, California, on the other hand. Applicant proposes to operate every day during the season from May 1 to September 30. Applicant plans to utilize a standard school bus with a seating capacity between 50 and 72. Applicant proposes to charge \$2.00 per person and equipment for both routes.

Applicant alleges in its 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 park facilities, and that by eliminating traffic, fuel consumption and auto pollutants the proposed service will benefit the environment enjoyed by rafters using the American River.

The application was listed on the Commission's Daily Calendar of April 24, 1980. A copy of the application was served on the City and County of Sacramento. ~~No protests have been received.~~ *KN*
~~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 *on an interim basis pending further review.* *KN*
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.

KN
Interim O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to River Rat^{and} Company, 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.
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.
- (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 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.

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The effective date of this order is the date hereof to accommodate the recreation season which has now commenced.

Dated MAY 20 1980 , at San Francisco, California.

John E. Guyson
President

James L. Sturgeon

Robert H. Howell

Robert J. Dredrich

Lionel W. Smith
Commissioners

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Appendix A

and
RIVER RAT COMPANY

Original Title Page

CERTIFICATE
 OF
 PUBLIC CONVENIENCE AND NECESSITY
 TO OPERATE
 AS A PASSENGER STAGE CORPORATION
 PSC-1116

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.

91835

Issued under authority of Decision No. _____
 dated MAY 20 1980, of the Public Utilities
 Commission of the State of California, in Application No. 59608.

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

River Rat^{and} Company, 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 intersection 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 daily during the seasonal period May 1 through September 30 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.

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Passengers may be ~~picked up~~ ^{*picked up*} and discharged at any of the following described points, near the American River Parkway, subject to local traffic regulations:

1. Downstream Pickup Points

- (a) Ancil Hoffman Park
- (b) Arden Bar

2. Upstream Discharge Point

River Rat and Company, 9840 Fair Oaks Blvd.

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SECTION 3. ROUTE DESCRIPTIONS.

1. Route 1

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Commencing at Ancil Hoffman Park in Carmichael, west on Park Road to California Avenue, north on California Avenue to Fair Oaks Boulevard, east on Fair Oaks Boulevard to the River Rat, *and* Company, 9840 Fair Oaks Boulevard in Fair Oaks.

2. Route 2

Tm
Commencing at Arden Bar in Carmichael, east on Arden Way to Fair Oaks Boulevard, north on Fair Oaks Boulevard to the River Rat, *and* Company, 9840 Fair Oaks Boulevard in Fair Oaks.

(END OF APPENDIX A)

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