

Decision No. 91944 JUN 17 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Dale Evans DBA Evans Transportation)
for certificate of public convenience)
and necessity to operate passenger)
carrying commuter vehicle service)
between Etna, Fort Jones and)
Greenview and Yreka, California.)

ORIGINAL
Application No. 59611
(Filed April 21, 1980)

O P I N I O N

Dale Evans, doing business as Evans Transportation by the above application, requests a Certificate of Public Convenience and Necessity to operate as a passenger stage corporation pursuant to Section 1031 of the Public Utilities Code.

Applicant has conducted school bus operation in and about Yreka for about eight years. Applicant also has conducted charter party carrier of passenger operations (TCP-122-A) since 1978.

Applicant proposes to use one of his buses to conduct a home-to-work operation originating in Etna and terminating in Yreka. Safety inspection by the Motor Carrier Safety Unit of the California Highway Patrol was last conducted on applicant's vehicles including the one proposed for this operation on February 20, 1980. Service on this route will include Greenview, Fort Jones and Forest Mountain Summit.

Applicant's balance sheet as of February 1980 showed assets of \$255,104.85 and liabilities of \$129,095.56 leaving a net worth of \$126,009.29. There are no other known passenger stage corporations operating in this area.

Applicant proposes to provide only round trip transportation. The fares would be \$9.00 from Etna to Yreka, \$7.00 from Greenview to Yreka and \$5.00 from Fort Jones to Yreka.

Home-to-work commute buses play an important role in providing increased public transportation and helping to relieve the energy shortage. New services, such as proposed by this applicant, should be encouraged and one way to do so is by expediting their authorization. On the basis of the information furnished in the application, we find that public convenience and necessity require

that the proposed service be authorized, subject to certain conditions as set forth in more detail in the following order.

It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Dale Evans, doing business as Evans Transportation, 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 (PSC-1116) is granted to Dale Evans, an individual doing business as Evans Transportation, 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.

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 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 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 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 the date hereof.

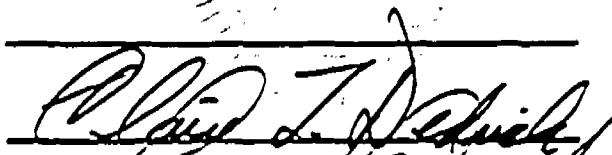
Dated JUN 17 1980, at San Francisco, California.

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.



President







Commissioners

T/VVB

Appendix A

Dale Evans
Doing Business As
EVANS TRANSPORTATION

Original Title Page

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

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. 91944 dated JUN 17 1980
of the Public Utilities Commission of the State of California
in Application No. 59611.

Dale Evans
Doing Business As
EVANS TRANSPORTATION
(PSC-1116)

INDEX

	<u>Page No.</u>
SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS AND SPECIFICATIONS.	2
SECTION 2. ROUTE DESCRIPTION	

<u>Route</u>	<u>Route Name</u>	
1	Etna-Greenville-Fort Jones-Yreka	3

Dale Evans
Doing Business As
EVANS TRANSPORTATION
(PSC-1116)

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

Dale Evans, an individual, doing business as Evans Transportation, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers between Etna and Yreka and certain territories intermediate and adjacent thereto, over and along the route 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) All service herein authorized shall be limited to the transportation of round-trip passengers only.

Issued by California Public Utilities Commission.

Decision No. 91944, Application No. 59611.

SECTION 2. ROUTE DESCRIPTIONS.

Route No. 1 Etna - Greenview-Fort Jones-Yreka

Beginning at the U.S. Post Office in Etna, thence via State Highway 3 to South Main Street in the City of Yreka, thence via South Main Street, Miner Street and South Oregon Street.

Authority is granted to serve all intermediate points on State Highway 3.

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

Decision No. 91944, Application No. 59611.