

Decision 93031

MAY 5 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
 of GLEN H. ESRIG and JOHN M. HUGHETT)
 for authority to transfer a passenger)
 stage certificate of public convenience)
 and necessity to GLEN H. ESRIG and)
 STEPHEN B. PRINE, dba AMERICAN RIVER)
 SHUTTLE, and extend service to)
 include one more pickup and one more)
 delivery.)

Application 60358
 (Filed March 13, 1981)

O P I N I O N

This is an application which seeks authority for Glen H. Esrig (Esrig) and John M. Hughett (Hughett), a partnership doing business as American River Shuttle, to transfer their passenger stage certificate to a partnership composed of Esrig and Stephen B. Prine (Prine).

Decision (D.) 90901 in Application 58973 granted Esrig and Hughett the authority to transport rafters and their rafts between American Raft Rental in Rancho Cordova and specified points adjacent to the American River. The service is seasonal.

The application was filed on March 13, 1981. Notice of its filing appeared in the Commission's Daily Calendar. A copy was served on River Rat, Inc. There have been no protests.

The verified application alleges that Hughett has decided to move out of California and is willing to give up his interest in the enterprise and certificate. Esrig, who will continue in the successor partnership, is experienced in the operation and has a net worth of \$33,000. Prine has a net worth of \$1,015,200.

Findings of Fact

1. A public hearing is not necessary in this matter.
2. Esrig and Prine have the ability, including financial ability, to conduct the operations proposed to be transferred.
3. Transfer of the operating authority from the partnership of Esrig and Hughett to the partnership of Esrig and Prine would not be adverse to the public interest.
4. Because of the seasonal nature of the operation involved this decision should become effective on the date of issuance.

Conclusion of Law

The application should be granted as hereinafter set forth.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

O R D E R

IT IS ORDERED that:

1. By December 31, 1981, Glen H. Esrig and John M. Hughett, a partnership doing business as American River Shuttle, may sell and transfer the operative rights specified in the application to Glen H. Esrig and Stephen B. Prine, a partnership doing business as American River Shuttle.
2. Purchasers shall:
 - a. File with the Transportation Division written acceptance of the certificate and a copy of the bill of sale or other transfer document within 30 days after transfer.
 - b. Amend or reissue sellers' tariffs and timetables, state in them when the service will start, make them effective 5 or more days after this order is effective, and allow at least 5 days' notice to the Commission.

- c. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.
- d. File an annual report of sellers' operations for the period from the first day of the current year to the date of transfer.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.

3. If the transfer is completed, on the effective date of the tariffs a certificate of public convenience and necessity is granted to Glen H. Esrig and Stephen B. Prine, a partnership doing business as American River Shuttle, authorizing them to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in Appendix A, to transport rafters and their rafts and baggage.

4. The certificate of public convenience and necessity granted by D.90901 is revoked on the effective date of the tariffs.

This order is effective today.

Dated MAY 5 1981 , San Francisco, California.

 John E. Boyer President
 Richard W. Gault
 Terrence J. Gault
 Walter C. Gault
 Maurice C. Gault Commissioners

ALJ/ks

Appendix A

GLEN HOLDEN ESRIG and Original Title Page
STEPHEN B. PRINE
dba AMERICAN RIVER SHUTTLE

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE
AS A PASSENGER STAGE CORPORATION
PSC-1085

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 93031, dated MAY 5 1981,
of the Public Utilities Commission of the State of California, in
Application 60358.

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

John Mitchell Hughett and Glen Holden Esrig, by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin are 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 intersections 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 Saturdays, Sundays and holidays, during the seasonal period, May, September and October of each year.
- (d) Service shall be operated daily during the months of June, July and August.
- (e) Applicant shall not pickup or discharge passengers except at the specified service point or points hereinafter set forth.

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SECTION 2. SERVICE POINTS.

Passengers may be picked up and discharged at the following described points, subject to local traffic regulations:

1. Downstream Pickup Point

Goethe Park in Rancho Cordova.

2. Upstream Discharge Point

American Raft Rental at 11257 Bridge Street in Rancho Cordova.

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SECTION 3. ROUTE DESCRIPTIONS.

Beginning at the designated pickup point of Goethe Park, southerly along Rod Beaudry Drive to Folsom Boulevard; thence easterly along Folsom Boulevard to Mills Park Drive; thence southerly on Mills Park Drive to Highway 50; thence easterly on Highway 50 to Sunrise Boulevard; thence northerly on Sunrise Boulevard to the American River Raft Rental.

(END OF APPENDIX A)

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