

Decision No. 19825

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of (1))	
THE GRAY LINE MOTOR TOURS, INCORPORATED,)	
for certificate of public convenience and)	
necessity to operate (2) Passenger Sight-)	APPLICATION
seeing Auto Service as a common carrier)	NO. 14588
between Los Angeles, adjacent cities)	
and return (see Exhibits "A" and "B").)	

L. C. Dickett, for Applicant.

Woodruff, Musick, Pinney & Hartke,
by H. H. Streight, for Palos Verdes
Transportation Company.

H. O. Marler, for Pacific Electric
Railway Company, Interested Party.

E. P. Simmons, for Tanner Motor Tours,
Interested Party.

BY THE COMMISSION:

O P I N I O N

Applicant herein seeks to establish, under certificate of this Commission, as a common carrier, a sight-seeing service for passengers between Los Angeles and adjacent points of interest in a circle tour.

A public hearing herein was conducted by Examiner Williams at Los Angeles.

L. C. Dickett, Assistant Manager of applicant corporation, testified that for several months there have been inquiries at the office of the company in Los Angeles and at its sub-offices

in hotels, for sight-seeing trips to San Gabriel, Los Angeles Harbor and the oil fields, and to other points for which at present no sight-seeing trips are operated. Mr. Dickett testified these demands approximate thirty to forty a week, and that the demand to applicant seems sufficient to justify the establishment of one operation which would feature all the points. In an effort to meet this demand, applicant proposes sight-seeing service on Monday and Friday of each week, between Los Angeles, San Gabriel Mission, El Monte, Montebello, Rivera, Downey, Long Beach and Los Angeles Harbor, returning to Los Angeles by way of the Palos Verdes Hills community and Redondo and Inglewood. The important points of interest, besides the Mission at San Gabriel, include the Gay Lion Farm near El Monte, the oil fields at Montebello and Santa Fe Springs, the City of Long Beach, and the Harbor of Los Angeles. Mr. Dickett testified it is the plan, when the tour reaches Long Beach, to disembark the passengers and transport them in a launch to San Pedro Harbor, with a landing at Fifth Street. The parlor car used to transport the party will then pick it up and continue the trip by way of Point Firmin and the Palos Verdes district back to Los Angeles.

Applicant proposes five dollars (\$5.00) as the fare for such a tour, leaving Los Angeles at 9:00 A.M. and returning at 5:30 P.M., which fare includes all transportation charges and all admissions, but does not include food. Under the service proposed, no passenger will embark or disembark from the vehicle during the tour, except for rest and lunch, and no patrons will be received except at the Los Angeles terminal at the Clark Hotel.

Applicant is now engaged in other sightseeing operations in and about Los Angeles and elsewhere in California, and uses as equipment 21-passenger parlor observation cars of very high grade. Applicant reserves the right to cancel any tour for which less than four tickets have been sold, or to cancel a tour when the weather makes operation inadvisable.

At the conclusion of the testimony of Mr. Dickett, none of those appearing as protestants or interested parties expressed any objection to the establishment of the service.

This tour, from the record herein, appears to be one which would accommodate a considerable public demand from tourists and others in Los Angeles, and there appears no reason why it should not be established, as the applicant corporation is responsible and is a successful operator of such transportation.

We hereby find as a fact that public convenience and necessity require the establishment of the service proposed herein, and a certificate therefor will be granted.

The Gray Line Motor Tours, Inc., is hereby placed upon notice that "Operative rights" do not constitute a class of property which should be capitalized or used as an element of value in determining reasonable rates. Aside from their purely permissive aspect, they extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be changed or destroyed at any time by the state which is not in any respect limited to the number of rights which may be given.

O R D E R

The Gray Line Motor Tours, Incorporated, having made application to the Railroad Commission for a certificate to establish, as a common carrier, a sightseeing service for passengers between Los Angeles and points of interest in a circle tour, a public hearing having been held, the matter having been duly submitted and now being ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

hereby declares that public convenience and necessity require the establishment of the service proposed by applicant, over and along the following route:

Leaving Los Angeles by way of Huntington Drive, entering Alhambra; east on Main Street to San Gabriel Mission; Mission Drive to Gay's Lion Farm on Valley Boulevard; south on Lexington Road to Downey Road; through Downey on College Avenue; through Clearwater and Hynes, entering Long Beach on Cherry Avenue; west on Ocean Avenue to Municipal Pier where passengers will be put aboard a motor launch (operated by the H-10 Water Taxi) and taken on a harbor tour en route to Fifth Street Landing at San Pedro. The parlor car will continue to San Pedro by way of Anaheim Boulevard, picking up passengers at the H-10 Water Taxi Dock, Fifth Street Landing; leaving San Pedro by way of Ninth Street, driving through Palos Verdes Estates on Paseo Del Mar, through Redondo Beach, and Inglewood, back to Los Angeles, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity therefor be and the same hereby is granted subject to the following conditions:

1. Applicant shall file its written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof.
2. Applicant shall file, in duplicate, within a period of not to exceed twenty (20) days from the date hereof, tariff of rates and time schedules, such tariffs of rates and time schedules to be identical with those attached to the application herein, or rates and time schedules satisfactory to the Railroad Commission, and shall commence operation of said service within a period of not to exceed sixty (60) days from the date hereof.
3. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.
4. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant

or is leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

For all other purposes, the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 29th day of May, 1928.

Leon Whittell

E. C. Leamy

Ernest A. Hart

Thos. S. Lott

M. J. Can

Commissioners.