

Decision No. 20147

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 LOS ANGELES RAILWAY CORPORATION for)
 a certificate of public convenience)
 and necessity to operate motor coaches) Application No. 14980
 for the transportation of passengers)
 from Inglewood to Mines Aviation Field,)
 County of Los Angeles.)

ORIGINAL

BY THE COMMISSION -

OPINION and ORDER

Los Angeles Railway Corporation has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by it of an automotive passenger stage service between Inglewood and Mines Aviation field, said service to be performed on Saturdays, Sundays and holidays only when and while special events are being held at Mines Field.

A fare of 10 cents each way is proposed to be charged, and sufficient service will be given on the days on which the service is to be operated to take care of traffic. Equipment now operated by applicant will be used.

The instant application is based on a desire by applicant to provide transportation facilities between Inglewood and Mines Field, particularly from September 8, 1928, to September 16, 1928, both dates inclusive, when national air races and other events will be held at the field. El Segundo Transit Company (O.C. Dwy) which now serves Mines Field has waived objection to the service proposed herein and has filed an application for a similar certificate, but covering all days of the special events. The applicant herein has waived objection to the Dwy application, each applicant being of the opinion that operation by both will be necessary to take care of the traffic. To obviate the necessity for applying for a certificate for each separate show, applicant herein, as well as Dwy, has asked that each certificate be made permanent but provide for service only

when Mines Field is the scene of special events. Both have concluded that operation by applicant is necessary only on Saturdays, Sundays and holidays to meet peak demands.

We are of the opinion that this is a matter in which a public hearing is not necessary and that the application should be granted, particularly in view of the fact that there seems to be a desire on the part of the Los Angeles Railway and its competitor to join in an effort to meet traffic demands at a time when the facilities of each will be required.

Los Angeles Railway Corporation 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.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by Los Angeles Railway Corporation of an automotive passenger stage service between Inglewood and Mines Field, over and along the following route:

Commencing at the intersection of Pine Street and Hawthorne Boulevard, thence west on Pine Street and its continuation, San Antonio Street, to approximately one-half mile west of Inglewood and Redondo Road to the bus and taxi entrance of the aviation field.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such a service be, and the same hereby is granted to Los Angeles Railway Corporation, subject to the following conditions:

1- The service herein authorized to be performed shall be operated only on Saturdays, Sundays and holidays occurring when Mines Field is the scene of such special events as will require the operation of the service proposed herein to meet traffic demands.

2- Applicant shall file its written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof.

3- 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 thirty (30) days from the date hereof.

4- 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.

5- 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 24th day of August, 1928.

C. B. Bauer

Wm. S. Leland

W. A. ...
COMMISSIONERS.