

Decision No. 20193

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the
 LOS ANGELES RAILWAY CORPORATION for a
 certificate of public convenience and
 necessity to operate motor coaches for
 the transportation of passengers along
 Washington Street, Adams Street, and
 Jefferson Street, in the cities of
 Los Angeles and Culver City, County of
 Los Angeles.

ORIGINAL

Application
 No. 15003

BY THE COMMISSION -

OPINION and ORDER

Los Angeles Railway Corporation has applied to the
 Railroad Commission for an order declaring that public conven-
 ience and necessity require the operation by it of an automotive
 passenger stage service over and along the following route:

From 9th Avenue and Jefferson Street (the terminus
 of applicant's Jefferson Street car line), thence
 via Jefferson Street and Verdun Avenue to Adams
 Street,-

Applicant proposes to charge a one-way fare of 5 cents
 and to operate largely on a 15-minute headway, the service
 to be given between the hours of 5:45 A.M. and 12:20 A.M. Street
 car type of equipment will be used.

Applicant now operates motor coaches for the transportation
 of passengers along the following route, a certificate of public
 convenience and necessity for which was granted by the Commission
 in Decision No. 17541 in Application No. 13042:

From the intersection of Rimpau Boulevard and
 Washington Street, westerly along Washington Street,
 to the westerly boundary line of the City of Los Angeles
 and the easterly boundary line of Culver City,
 immediately west of Genessee Street, thence via Washington
 Street to and along Eines Avenue to Adams Street, thence
 along Adams Street to Alsace Avenue.

The operating right herein sought is asked for as an ex-
 tension of the right granted by Decision No. 17541. Applicant

declares that public convenience and necessity require the service and further declares that it has been requested and petitioned to establish the service as proposed so as to provide a continuous service over and along the following route:

From the intersection of Washinton Street and Rimpau Boulevard, thence via Washington Street, Hines Avenue, Adams Street, Verdun Street, and Jefferson Street, to 9th Avenue.

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 as applicant declares that the proposed operation will not be in competition with any other public utility.

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 over and along the following route:

From 9th Avenue and Jefferson Street, (the terminus of applicant's Jefferson Street car line), thence via Jefferson Street and Verdun Avenue to Adams Street

as an extension of (not as a separate operating right) the operating right heretofore granted to applicant by Railroad Commission Decision No.17541 and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such a service be and the same is hereby granted to Los Angeles Railway Corporation, 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 thirty (30) 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 6^x day of September, 1928.

Leon Whitely

C. S. ...

E. M. ...

M. R. ...

COMMISSIONERS.