

Decision No. 20685

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  
 for the transportation of passengers  
 along portions of Slauson Avenue,  
 Overhill Avenue, and Fairview Boulevard,  
 County of Los Angeles. )  
 )  
 ) Application  
 ) No. 15309  
 )

**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 service for the transportation of passengers between Los Angeles and Inglewood in territory described as lying north and west of its Inglewood motor coach line, following a route

Commencing at the intersection of West 54th Street and Angeles Mesa Drive; thence via Angeles Mesa Drive, Slauson Avenue, Overhill Avenue and Fairview Boulevard to Highland Avenue.

The route as described above is partly within the city of Los Angeles and partly in the city of Inglewood. Applicant proposes to charge rates and fares and to give service in accordance with Exhibits A and B both of which are attached to the application herein and made a part thereof. Equipment similar to that now used by Los Angeles Railway Corporation on other bus routes will be used.

Applicant declares that public convenience and necessity require the service proposed, further stating that its operation will not affect, in a competitive way, any other public carrier. Establishment of the service has been endorsed by the Los Angeles Board of Public Utilities and Transportation as evidenced by a letter to the Commission under date of January 11, 1929.

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. No authority is herein conveyed, however, for a linking up of the right herein authorized with any other right of applicant.

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 service for the transportation of passengers between Los Angeles and Inglewood over and along the following route:

Commencing at the intersection of West 54th Street and Angeles Mesa Drive; thence via Angeles Mesa Drive, Slauson Avenue, Overhill Avenue and Fairview Boulevard to Highland Avenue.

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- 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 to 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 17<sup>th</sup> day of January, 1929.

Thos B. Latta  
Chas. J. ...  
Edmund ...  
Leon Whitell  
M. J. ...  
COMMISSIONERS.