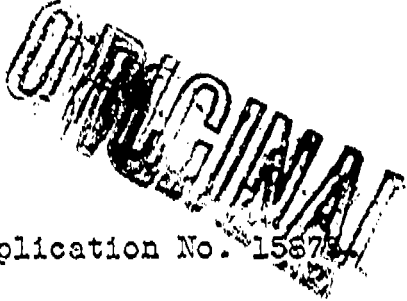


Decision No. 21469.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the Pacific Electric Railway Company, a corporation, for a certificate of public convenience and necessity to operate an automobile stage service between Montana Street and Lincoln Avenue, in the City of Pasadena, and Woodbury Road and Lake Avenue, in the City of Pasadena, and intermediate points in the State of California.


 Application No. 1587

BY THE COMMISSION:

ORDER

Pacific Electric Railway Company, a corporation, filed the above entitled application with this Commission on the 14th day of August, asking for a certificate of public convenience and necessity to operate an automobile stage service between Montana Street and Lincoln Avenue in the City of Pasadena and Woodbury Road and Lake Avenue in the City of Pasadena and intermediate points in the County of Los Angeles, State of California. Applicant states that the application was made as a result of an understanding reached at an informal conference held at Los Angeles, July 2, 1929, and attended by representatives of the Altadena Chamber of Commerce, Altadena Citizens' Association, the West Altadena Improvement Association, Railroad Commission and applicant. At this conference it was agreed that the service should be established as a trial one providing that if at the end of three (3) months after establishment earnings were such that there was little or no

possibility of the service paying its out-of-pocket operating expenses, applicant with permission of the Commission would discontinue the same.

Applicant proposes to use a motor coach of standard make and of not less than sixteen (16) passenger capacity, to operate on an hourly schedule for approximately ten (10) hours daily and to charge the same fares as are now effective in the outer or Altadena zone of applicant's Pasadena local lines.

It appears to the Commission that the service proposed is in the public interest, that it will provide passenger transportation facilities to a portion of the community of Altadena heretofore unserved and that the application should be granted.

Pacific Electric Railway Company 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 Pacific Electric Railway Company of an automobile passenger stage line between Montana Street and Lincoln Avenue in the City of Pasadena and Woodbury Road and Lake Avenue in the City of Pasadena and intermediate points in the County of Los Angeles, State of California, and over and along the following route:

Commencing at the intersection of Lincoln Avenue and Montana Street, northerly on Lincoln Avenue to Mariposa Street, east on Mariposa Street to Olive Avenue, north on Olive Avenue to Los Flores Drive, east on Los Flores Drive to Lake Avenue, south on Lake Avenue to Woodbury Road and as shown in red lines on Exhibit "A" attached to the application.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and the same is hereby granted to said Pacific Electric Railway Company for the operation of the service hereinabove described, subject to the following conditions:

(1) Applicant shall file its written acceptance of the certificate herein granted within a period of not to exceed twenty (20) days from the 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 him under a contract or agreement on a basis satisfactory to the Railroad Commission.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 20th day of August, 1929.

Thomas D. Lovett

C. L. Seavey

Leonard H. Hall

M. A. Linn  
Commissioners.