

Decision No. 22619

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 PACIFIC GREYHOUND LINES, INC., a
 corporation, for a certificate of
 public convenience and necessity to
 extend its present service from
 Lakeport to Upper Lake; to extend
 its present service from Lower Lake
 to Lower Lake Junction, and to
 reinstate service to Witter Springs.)

ORIGINAL
 Application
 No. 16643

BY THE COMMISSION -

OPINION and ORDER

By this proceeding Pacific Greyhound Lines, Inc., seeks
 authority to

- 1- Extend its present service from Lakeport to
 Upper Lake.
- 2- Extend its present service from Lower Lake
 to Lower Lake Junction.
- 3- Extend service to Witter Springs.

Attached to the application herein and made a part thereof
 are Exhibits B and C showing proposed schedules and rates and
 rules and regulations. There is also attached Exhibit A contain-
 ing a sketch indicating the territory and the highways involved
 in this proceeding.

Applicant's predecessor in interest, (Pickwick Stages
 System), formerly served Witter Springs. It was authorized by
 Decision No. 22166 to abandon service to that point on a showing
 that the service was non-compensatory. Applicant herein has
 recently entered into a contract with the U.S. Government to
 transport mail to Witter Springs and it is now claimed that this
 addition to its revenues will enable it to serve Witter Springs
 in connection with its authorized operations between Ukiah and
 Lucerne. Applicant has also been awarded mail contracts, the

revenues from which , it is claimed, will make possible compensatory operations between points not heretofore served because of lack of traffic, which points are now proposed to be served under authority of the extensions herein sought.

We are of the opinion, particularly in view of the fact that the only other carrier affected, Lake County Transportation Company, has waived opposition to the proposed extensions, that this is a matter in which a public hearing is not necessary and that the application should be granted.

Pacific Greyhound Lines, 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.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by Pacific Greyhound Lines, Inc., of an automobile passenger stage service for the transportation of passengers, baggage and express between Witter Springs and points on the Ukiah-Lucerne highway; between Lakeport and Upper Lake, and between Lower Lake and Lower Lake Junction, serving all intermediate points on the routes named and in connection with its existing Middletown-Lakeport service operate as follows:

Between Middletown and Upper Lake via the main highway through Seigler Springs, or the main highway via Adams Springs to Lower Lake Junction, thence via the main highway through Kelseyville and Lakeport, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for the above described service, which certificate is

hereby consolidated with and made part of the certificate granted by Decision No.22166, be and the same is hereby granted to Pacific Greyhound Lines, Inc., subject to the following conditions:

1- That the service between Lower Lake Junction and Adams Springs may be operated seasonally, approximately between May 15th and October 1st of each year, service for the rest of the year to be established if and when traffic demands require it.

2- That the extensions herein granted are to be operated subject to the restrictions and limitations as to time of service and weight of express to be transported and use of vehicles for said express heretofore imposed by Decision No.22166 on the particular routes described in said decision, and which are by this order enlarged.

3- That applicant file within fifteen (15) days from the date hereof acceptance of the certificate herein granted.

4- That applicant file within twenty (20) days from the date hereof tariffs and time schedules covering service proposed herein, which tariffs of rates and time schedules shall be satisfactory to the Railroad Commission and in conformity with its General Orders.

5- 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.

6- 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 1st day of

July, 1930.

Cl. Deaver
Edward J. [unclear]

Thos. J. [unclear]