

Decision No. 22888.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application ()
of PALOS VERDES TRANSPORTATION ()
COMPANY, a corporation, for ()
Extension of its Certificate of ()
Convenience and Necessity. ()

Application No. 16840.

ORIGINAL

Woodruff, Masick and Hartke, by Harold E. Streight,
for applicant.

BY THE COMMISSION:

O P I N I O N

This is an application by Palos Verdes Transportation Company seeking an extension of its present operating right between Redondo Beach and Palos Verdes Estates. A public hearing was held by Examiner Gannon at Redondo Beach and the matter was submitted.

The Commission has heretofore issued its certificate of public convenience and necessity authorizing applicant to transport passengers by stage between Redondo Beach and Palos Verdes Estates, the latter being a residential district two miles south of Redondo Beach. The purpose of the present application is to extend such service from its present terminus at the intersection of Via Coronel and Palos Verdes Coast Road southerly along the route of Palos Verdes Coast Road to the United States Lighthouse service station at Point Vincente.

Primarily, the service is intended to provide transportation for a number of school children living on and adjacent to the route of Palos Verdes Coast Road and who attend the elementary school located in Palos Verdes Estates. According to the record, these children were carried back and forth last year by means of a private conveyance provided by the school district but such conveyance is no longer available. The proposed service contemplates two trips daily, one in the morning and one in the afternoon. The fare is fixed at five cents for the round trip, the school district absorbing the difference between such fares and the cost of the service. No other mode of transportation is available in the territory and the application was not protested.

It clearly appears from the record that public convenience and necessity require the establishment of the proposed service and the application will therefore be granted.

Palos Verdes Transportation 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.

O R D E R

A public hearing having been held on the above entitled application and the matter having been submitted,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA hereby declares that public convenience and necessity require the establishment by Palos Verdes Transportation Company of an automobile stage service as a common carrier of passengers between the terminus of its line at the intersection of Via Coronel with Palos Verdes Coast Road and the entrance to the United States Lighthouse service station at Point Vincente, as an extension of its present service between Redondo Beach and Palos Verdes Estates, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such service be and the same is hereby granted to the said Palos Verdes Transportation Company 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 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 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 it under a contract or agreement on a basis satisfactory to the Railroad Commission.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 7th day of October, 1930.

C. C. Seaver
James H. [unclear]
Leon [unclear]
John D. [unclear]

Commissioners.