

Decision No. 24403

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of the
 LOS ANGELES RAILWAY CORPORATION, a
 corporation, and the PACIFIC ELECTRIC
 RAILWAY COMPANY, a corporation, oper-
 ating under the name of the Los Angeles
 Motor Coach Company, for a certificate
 of public convenience and necessity
 to operate motor coach passenger service
 between intersection of Fairfax Avenue
 and Wilshire Boulevard and the inter-
 section of Blackburn Avenue and Sweetzer
 Avenue, and intermediate points in the
 City of Los Angeles, State of California.

) Application
 No. 17297

BY THE COMMISSION -

O P I N I O N

In this application by Los Angeles Railway Corporation, a corporation, and the Pacific Electric Railway Company, a corporation, operating under the name of the Los Angeles Motor Coach Company, (under an agreement heretofore approved by the Railroad Commission), the Commission is petitioned for a certificate of public convenience and necessity authorizing applicants to operate for a three months trial period service for the transportation of passengers between the intersection of Fairfax Avenue and Wilshire Boulevard and the intersection of Blackburn Avenue and Sweetzer Avenue in the City of Los Angeles over the following route:

Commencing at the intersection of Fairfax Avenue and Wilshire Boulevard, west on Wilshire Boulevard to Crescent Heights Boulevard, north on Crescent Heights Boulevard to Blackburn Avenue, west on Blackburn Avenue to Sweetzer Avenue, south on Sweetzer Avenue to Fourth Street, east on Fourth Street to La Jolla Avenue, south on La Jolla Avenue to Lindenhurst Avenue, east on Lindenhurst Avenue to Fairfax Avenue, south on Fairfax Avenue to Wilshire Boulevard.

The proposed extension has the approval of the Board of Public Utilities and Transportation of the City of Los Angeles, as indicated by Exhibit "D" attached to and made part of the application.

We are of the opinion that this application should be granted. A public hearing does not appear to be necessary.

Applicants are 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

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by Los Angeles Railway Corporation, a corporation, and Pacific Electric Railway Company, a corporation, operating under the name of the Los Angeles Motor Coach Company, of an automotive passenger stage service, for a three months trial period, between the intersection of Fairfax Avenue and Wilshire Boulevard and the intersection of Blackburn Avenue and Sweetzer Avenue in the City of Los Angeles over the following route:

Commencing at the intersection of Fairfax Avenue and Wilshire Boulevard, west on Wilshire Boulevard to Crescent Heights Boulevard, north on Crescent Heights Boulevard to Blackburn Avenue, west on Blackburn Avenue to Sweetzer Avenue, south on Sweetzer Avenue to Fourth Street, east on Fourth Street to La Jolla Avenue, south on La Jolla Avenue to Lindenhurst Avenue, east on Lindenhurst Avenue to Fairfax Avenue, south on Fairfax Avenue to Wilshire Boulevard,

as set forth in red on map, marked Exhibit "A", attached to and made part of the application, bearing applicants' number C.E.H. 13452.

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, a corporation, and the Pacific Electric Railway Company, a corporation, operating under the name of the Los Angeles Motor Coach Company, subject to the following conditions:

1- Applicants shall file their written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from date hereof.

2- Applicants shall file in duplicate and make effective within a period of not to exceed thirty (30) days from the date hereof a tariff or tariffs constructed in accordance with the requirements of the Commission's General Orders and containing rates and rules, which, in volume and effect, shall be identical with the rates and rules shown in the exhibit attached to the application insofar as they conform to the certificate herein granted.

3- Applicants shall file, in duplicate, and make effective within a period of not to exceed thirty (30) days from the date hereof time schedules, covering the service herein authorized, in a form satisfactory to the Railroad Commission.

4- 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.

5- No vehicle may be operated by applicants herein unless such vehicle is owned by said applicants or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

6- The certificate herein granted is for the purpose of permitting applicants to test the patronage that will be bestowed, and should applicants, at the end of three months from date hereof, desire to discontinue the operation they shall file supplementary application therefor setting up all the receipts and costs of operation for the period; otherwise the service will continue without further order herein.

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 15th day of

January, 1932.

Cl. S. ...
Leon ...
M. J. ...
W. B. ...
Fred G. ...
COMMISSIONERS.