

Decision No. 24495.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
the LOS ANGELES RAILWAY CORPORATION
for a certificate of public conven-
ience and necessity to operate pas-
senger motor coach service on Yosemite
Drive and Colorado Street, County of
Los Angeles.

Application No. 17957.

BY THE COMMISSION:

ORIGINALORDER

Los Angeles Railway Corporation has made application for a certificate of public convenience and necessity to operate a passenger motor coach service on certain streets in the City of Los Angeles, hereinafter described, for an experimental period of thirty days.

It appears that applicant has received a temporary permit from the Board of Public Works and Transportation of the City of Los Angeles for said service and that this proposed motor coach line was recommended by the Commission in its Decision No. 24266, dated November 30, 1931, in Case No. 3039. It further appears to the Commission that the period of thirty days requested in the application is insufficient to determine the results of operation of such a line and that the application should be granted without time limit with the understanding that applicant may request permission to discontinue said service if and when it appears that public convenience and necessity no longer justify or require the operation of said service.

It appears that this is not a matter in which a public hearing is necessary and that the application should be granted.

Los Angeles Railway Corporation 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 that Los Angeles Railway Corporation establish and maintain motor coach service for the transportation of passengers in the City of Los Angeles over and along the following route:

From the intersection of Glen Arbor Avenue and Annandale Boulevard, thence via Annandale Boulevard, Oak-grove Avenue, Glacier Drive, Yosemite Drive, Eagle Rock Boulevard, Colorado Street, Broadway, Eagledale Avenue, Colorado Street and return; and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity therefore be and the same hereby is granted subject to the following conditions:

- (1) Applicant shall file its written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from the date hereof.
- (2) Applicant 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 in so far as they conform to the certificate herein granted.

- (3) Applicant 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 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 15th day of February, 1932.

A. Lewis
Leon White
M. A. Cum
W. B. Harris
Fred G. Stewart
Commissioners.