

Decision No. 25839.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
PACIFIC GREYHOUND LINES, INC., a)
corporation, for certificate of)
public convenience and necessity)
authorizing operation of automotive)
stages for the transportation of)
passengers, baggage and express)
between Seigler Junction and)
Seigler Springs as an alternate)
route to be operated when service)
warrants.)

Application
No. 18811.

ORIGINAL

BY THE COMMISSION:

O P I N I O N

Pacific Greyhound Lines, Inc. has made application for a certificate of public convenience and necessity authorizing the operation of its stages for the transportation of passengers, baggage and express between Seigler Junction and Seigler Springs as an alternate route to be operated as service demands may require. Applicant now operates north of Middletown by three routes, only one of which directly serves Seigler Springs. By the certificate herein sought applicant would be able to use the route via Hobergs and Adams Springs and thence to Seigler Springs giving it an alternative method of operation and to some extent improving the service to both Adams and Seigler Springs. No change in rates (except on express due to mileage changes) or time schedules will result from the granting of the application.

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.

O R D E R

Pacific Greyhound Lines, Inc. has made application for a certificate of public convenience and necessity to operate its stages for the transportation of passengers, baggage and express between Seigler Junction and Seigler Springs and the Commission being fully advised in the premises,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the service proposed by applicant over and along the county road between Seigler Junction and Seigler Springs, and,

IT IS HEREBY ORDERED that a certificate of public convenience and necessity therefor be and the same hereby is granted and consolidated with all the rights of applicant as granted by Decision No. 23244, on Application No. 16989 and supplemental decisions, and 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 date hereof.
2. Applicant shall file, in triplicate, and make effective within a period of not to exceed thirty (30) days from the date hereof, on not less than ten days' notice to the Commission and the public 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. Applicant shall file, in duplicate, and make effective within a period of not to exceed thirty (30) days from date hereof, on not less than five days' notice to the Commission and the public, 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 17th day of

April 1933.

O. C. Deane
Leon Anderson
M. A. Lee
V. B. Harney
Walter W. ...
Commissioners.