

Decision No. 26046.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of PACIFIC GREYHOUND LINES, INC., )  
a corporation, for authority to )  
reroute portion of existing )  
service between Palo Alto and )  
Sunnyvale Junction, and for a cer- )  
tificate of public convenience )  
and necessity authorizing operation )  
of auto stages between Felton Road )  
and Felton Station. )

Application  
No. 18910.

BY THE COMMISSION:

PRELIMINARY OPINION AND ORDER

Pacific Greyhound Lines, Inc., applicant herein, seeks a certificate of public convenience and necessity, among other matters, for the establishment of service by auto stage between Felton Road and Felton Station, serving Mt. Hermon as an intermediate point. The service will be by diversion of one schedule in each direction between San Francisco and Santa Cruz over the highway between Felton Road and Felton Station. The service is necessary because of the formal opening of Mt. Hermon Association religious colony on June 11, and is an addition to the rail service to Felton Station.

This is a matter in which a public hearing does not appear necessary. The application will be granted only insofar as it relates to diversion between the points named and not for determining any other matters contained in the application, which are reserved for public hearing.

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. having made application for a certificate of public convenience and necessity to operate its auto stage service between Felton Road and Felton Station, as an extension and enlargement of its service between San Francisco and Santa Cruz via Los Gatos.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the extension and operation as herein applied for for passengers, baggage and express over the main highway between termini and serving all intermediate points, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity therefor be and the same hereby is granted as an extension and enlargement of its operating rights granted by Decision No. 23244 on Application No. 16989 and supplemental orders, and is hereby consolidated with such rights, subject to the fol-

lowing conditions:

1. The right herein granted is subject to the restriction that no passengers, baggage or express be transported locally between Los Gatos and Felton Road, both inclusive on the one hand, and Santa Cruz on the other hand via Felton.
2. Applicant shall file its written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from date hereof.
3. 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 one day's 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.
4. Applicant shall file, in duplicate, and make effective within a period of not to exceed thirty (30) days from date hereof, on one day's notice to the Commission and the public, time schedules covering the service herein authorized, in a form satisfactory to the Railroad Commission.

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 8<sup>th</sup> day of

June 1935.

C. S. Seavey  
Leon O. White  
W. J. Cunn  
Commissioners