

Decision No. 27202.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
MOTOR TRANSIT COMPANY, a corporation,
for a certificate of public con-
venience and necessity to operate a
passenger stage service as a common
carrier, between Glendale and Montrose
and La Crescenta, California.

Application No. 19506.

BY THE COMMISSION:

ORIGINAL

O R D E R

Motor Transit Company, a corporation, by the above numbered application, seeks authority to reroute a portion of its existing motor coach service between Los Angeles, Montrose and La Crescenta; also for a certificate of public convenience and necessity authorizing a new service to provide transportation between the Cities of Glendale and Montrose.

By its Nineteenth Supplemental Application No. 17984, filed coincident with the instant application, Pacific Electric Railway Company proposes to discontinue service on that portion of its Glendale Motor Coach Line No. 2 between the intersection of Ethel and Mountain Streets in the City of Glendale and the intersection of Ocean View Boulevard and Honolulu Street in the City of Montrose. Applicant herein proposes to establish a motor coach line from the intersection of La Crescenta Avenue and Honolulu Street in Montrose, easterly on Honolulu Street to Canada Boulevard, southerly on Canada Boulevard to Glendale Avenue, southerly on Glendale Avenue to Broadway, westerly on Broadway to Brand Boulevard, in the City of Glendale, using Brand Boulevard, Harvard Street, Maryland Avenue and Broadway as a loop for the return trip. It is proposed

to operate these coaches on a headway of one hour and the proposed service will be in lieu of that now provided by Pacific Electric Railway Company.

Applicant also seeks authority to reroute a portion of its present service now being operated between Los Angeles, Montrose, La Crescenta and beyond, so that alternate schedules will operate from the intersection of Honolulu Street and Canada Boulevard, westerly on Honolulu Street to La Crescenta Avenue, thence northerly on La Crescenta Avenue to Montrose Avenue, while the remaining schedules will operate over the present route from the intersection of Honolulu Street and Canada Boulevard, northerly and westerly on Montrose Avenue to the intersection of Montrose Avenue and La Crescenta Avenue.

In view of the fact that the Pacific Electric Railway Company has been authorized by Commission's Decision No. 27262 in Nineteenth Supplemental Application No. 17984 to abandon its service in this area as outlined above, it would appear that the proposed new service and the rerouting of the present service will meet the public convenience and necessity of persons desiring to travel along these routes.

Attached to the application and identified as Exhibits "B" and "C," are copies of time schedules for the added or changed operations sought herein. No changes in fares are proposed in this application.

This is a matter in which a public hearing is not necessary and the application will be granted.

Motor Transit 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.

The Railroad Commission of the State of California hereby declares that public convenience and necessity require the establishment of a motor coach line from the intersection of La Crescenta Avenue and Honolulu Street in Montrose, easterly on Honolulu Street to Canada Boulevard, southerly on Canada Boulevard to Glendale Avenue, southerly on Glendale Avenue to Broadway, westerly on Broadway to Brand Boulevard in the City of Glendale; using Brand Boulevard, Harvard Street, Maryland Avenue and Broadway in the City of Glendale as a loop for the return trip.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such service be, and the same is, hereby granted to applicant, Motor Transit 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 fifteen (15) days from the 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 five (5) 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 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, 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.

IT IS HEREBY FURTHER ORDERED that Motor Transit Company, a corporation, be, and it is, hereby authorized to reroute a portion of its present service now operated between Los Angeles, Montrose, La Crescenta and beyond, so that alternate schedules shall operate from the intersection of Honolulu Street and Canada Boulevard westerly on Honolulu Street to La Crescenta Avenue, thence northerly on La Crescenta Avenue to Montrose Avenue, while the remaining schedules shall operate over the present route from the intersection of Honolulu Street and Canada Boulevard, northerly and westerly on Montrose Avenue to the intersection of Montrose Avenue and La Crescenta Avenue, subject to the following conditions:

- (1) Applicant shall afford the public at least five (5) days' notice prior to making the changes authorized herein, by posting notices in all motor coaches operating on said line and at all stations affected, and shall file time schedules therefor.
- (2) The changes herein authorized shall be effected coincident with the abandonment of a portion of Pacific Electric Railway Company's Glendale Motor Coach Line No. 2, as authorized by Decision 27202 in Nineteenth Supplemental Application No. 17984.

For all other purposes the effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 10th day of July, 1934.

Leon A. Whaley

W. B. Harris
Walter L. Ware
Commissioners.