

Decision No. 27638.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
TANNER MOTOR TOURS, LTD., a California
corporation, for certificate of public
convenience and necessity to operate
a motor service as a common carrier
between Los Angeles and Hollywood and
Pasadena, California.)

) Application No. 19759.

BY THE COMMISSION:

ORIGINAL

O P I N I O N

This is an application by the Tanner Motor Tours, Ltd., a California corporation, for a certificate of public convenience and necessity to establish common carrier passenger service by motor bus or automobile sedan between Hollywood and Los Angeles on the one hand and the Rose Bowl in the Arroyo Seco in the City of Pasadena, on the other. Applicant will accept passengers at the Roosevelt, Christie and Hollywood Plaza Hotels in Hollywood and the Ambassador and Biltmore Hotels in Los Angeles.

On New Year's Day of each year there is held in the City of Pasadena a Tournament of Roses, the main features of which are a parade of decorated floats and a foot-ball game between representative teams of the East and the West. It is conservatively estimated by the Tournament of Roses Association that 500,000 people will attend the parade and over 80,000 the foot-ball game in the Rose Bowl. The services to be furnished will therefore be limited to transportation only on January first of each year.

After consideration of the facts we conclude that there is a substantial demand for the proposed operation, that public convenience and necessity require the establishment of the services, that a public hearing

is not necessary and that the application should be granted.

Tanner Motor Tours, Ltd., 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

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation on January first of each year by the Tanner Motor Tours, Ltd., of motor bus or automobile sedan service between (a) Roosevelt, Christie and/or Hollywood Plaza Hotels in Hollywood, (b) Ambassador and Biltmore Hotels, down-town Los Angeles, and the Rose Bowl in the Arroyo Seco in the City of Pasadena, over and along the following route, same to include stop-over privilege at the grand stand of the Tournament of Roses and at the Rose Bowl:

Leaving Los Angeles via Mission Road and Huntington Drive through South Pasadena, San Marino and Oak Knoll section to Pasadena, passing Brookside Park, Orange Grove Avenue residential section and Busch's gardens and returning to Los Angeles via Pasadena Avenue and North Broadway.

IT IS HEREBY ORDERED that certificate of public convenience and necessity for such service be and the same is hereby granted to the Tanner Motor Tours, Ltd., subject to the following conditions:

1. Applicant shall file its written acceptance of the certificate herein granted within a period of not to exceed five (5) days from date hereof.
2. Applicant shall file, in triplicate, and make effective on not less than one day's notice to the Commission and the public a tariff 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 Tour No. 2 Section 4 of Exhibit "A" attached to the application, in so far as they conform to the certificate herein granted, or rates satisfactory to the Railroad Commission.

3. Applicant shall file, in duplicate, and make effective on not less than 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.
4. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred or 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 issued 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 one (1) day from the date hereof.

Dated at San Francisco, California, this 31st day of December, 1934.

Leon Whidell

M. J. Lee

W. B. Harris

Frank R. Dyer
Commissioners.