

Decision No. 28553

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of ) TWENTY-FIFTH SUPPLEMENTAL  
PACIFIC ELECTRIC RAILWAY COMPANY, a ) APPLICATION NO. 17984  
corporation, for an in lieu certif- ) Establish Lamanda Park Motor  
icate of public convenience and ) Coach Line.  
necessity. ) Discontinue Rail Service on  
Colorado Street East of  
Lamanda Park Junction.

BY THE COMMISSION.

SUPPLEMENTAL ORDER

The above numbered application was filed by the Pacific Electric Railway Company on January 13, 1936, requesting authority to discontinue local rail service over that portion of its Lincoln Avenue-Lamanda Park Line which lies east of the intersection of Colorado Street and Huntington Drive (Lamanda Park Junction) in the City of Pasadena, and to substitute therefor an extended motor coach service. The rail line which applicant proposes to abandon is .489 mile in length and the total length of route of the new motor coach service will be 1.68 miles. The proposed name and route of the motor coach line to be established is as follows:

LAMANDA PARK MOTOR COACH LINE

From the intersection of Colorado Street and Huntington Drive, east along Colorado Street to Rosemead Boulevard; return via reverse of going route.

Attached to the application and identified as Exhibit "A" is a map on which is shown in yellow the rail service to be discontinued and in green the proposed motor coach line.

The single track rail line, herein proposed for abandonment, is constructed on the northerly half of Colorado Street, making it necessary for rail service moving easterly to go against the normal flow of westbound vehicular traffic. It is proposed to leave the

track and overhead in place and discontinue the rail service only at this time.

Applicant alleges that the traveling public will be better served by the substitution of motor coach service for rail service and that the extension to the territory between Daisy Avenue and Rosemead Boulevard will offer transportation to a community which is not now served by either rail or motor coach.

Applicant alleges that the East Colorado Business Men's Association, at a meeting held on December 19, 1935, unanimously approved the substitute service as proposed herein. Under date of January 11, 1936, the City of Pasadena advised the Commission that the change proposed herein is desirable and meets with the approval of the City.

It is proposed to place the said Lamanda Park motor coach line within Pasadena fare zone No. 3, with a cash zone fare of five cents (5¢) and a ten cent (10¢) fare applying to points within the Pasadena inner zone with transfer privileges. The present five cent (5¢) fare from Daisy Avenue, which is the end of the present rail line, to Hill Avenue, as well as the rate of four tickets for twenty-five cents (25¢) will be continued. The ticket rate fare, however, will not apply on the extended motor coach line east of Daisy Avenue.

Pacific Electric Railway 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 as to the number of rights which may be given.

It appearing that a public hearing is not necessary herein and that the application should be granted, subject to certain conditions,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA hereby declares that public convenience and necessity require the operation of motor coach service for the transportation of passengers in the City of Pasadena and the County of Los Angeles, over and along the following route:

LAMANDA PARK MOTOR COACH LINE

From the intersection of Colorado Street and Huntington Drive, east along Colorado Street to Rosemead Boulevard; return via reverse of going route,

to be considered as part of the "in lieu" certificate granted by this Commission's Decision No. 24854, dated June 12, 1932, on Application No. 17984.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such service be, and the same is, hereby granted to Pacific Electric Railway 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 not to exceed thirty (30) days after the effective date of this order, on not less than ten (10) 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 paragraph III of the application, in so far as they conform to the certificate herein granted, or rates satisfactory to the Railroad Commission.
- (3) Applicant shall afford the public at least ten (10) days' notice of such discontinuance of rail service and the substitution of motor coach service, as herein authorized, by posting of notices in all of the cars operating on said line and at all stations affected.
- (4) Applicant shall notify the Commission in writing, within thirty (30) days after said discontinuance and substitution have become effective.

- (5) Applicant shall file in duplicate and make effective, upon not less than five (5) days' notice to the Commission and the public, time schedules according to the form prescribed in General Order No. 83 of this Commission, covering the motor coach service herein authorized, in a form satisfactory to the Railroad Commission.
- (6) Applicant is authorized to turn its motor vehicles at termini either in the intersection of the street or by operating around a block contiguous to such intersection, in either direction, and to carry passengers as ~~tariff~~ regulations of the municipality may require. <sup>TRAFFIC</sup>  
(RSP)
- (7) 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.
- (8) No vehicles may be operated by applicant herein unless such vehicles are owned by said applicant or are leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

IT IS HEREBY FURTHER ORDERED that Pacific Electric Railway Company is hereby authorized to discontinue local passenger rail service over that portion of the Lincoln Avenue-Lamanda Park Line which lies east of the intersection of Colorado Street and Huntington Drive in the City of Pasadena, County of Los Angeles, concurrently with the establishment of the motor coach service herein authorized.

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

Dated at San Francisco, California, this 10<sup>th</sup> day of February, 1936.

W B Lewis  
Leon O'Whalley  
W A Carr  
Walter Brown  
Frank P. Brown

Commissioners.