

Decision No. 28985

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
UNION PACIFIC STAGES OF CALIFORNIA, a)
California corporation, for an order)
authorizing an alternate route to in-)
clude the City of Pasadena, California,)
as an intermediate point under its)
existing certificate of public con-)
venience and necessity for the operation)
of a motor bus service between Long)
Beach, California; and the California-)
Nevada state line.)

Application
No. 20623

BY THE COMMISSION:

ORIGINAL

O P I N I O N

By this application Union Pacific Stages of California, a corporation, seeks authority from this Commission to establish an alternate route from Los Angeles through Pasadena to South Alhambra to be used in the transportation of passengers and baggage on two of its daily eastbound schedules solely for the purpose of accommodating, on intrastate busses, interstate passengers picked up at Pasadena for transportation to points beyond the California-Nevada State Line. No local service whatsoever is contemplated over this route which will deviate from applicants present route at Los Angeles and return thereto at South Alhambra.

Inasmuch as applicant possesses certain local certificated rights between Los Angeles and points east of San Bernardino to its terminus at the California-Nevada State Line and proposes continued use of said routes upon return to same from the alternate route now sought, it appears necessary to consider the instant application in the light of an extension and enlargement

of applicants present certificated route and the addition thereto of the intermediate point of Pasadena under restrictions set forth above.

This appears to be a matter in which a public hearing is not necessary. The application will be granted.

Union Pacific Stages of California 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 by Union Pacific Stages of California of an automotive passenger stage service, as defined in Section 2 $\frac{1}{2}$ of the Public Utilities Act, from Los Angeles to Pasadena and South Alhambra as an alternate route, for eastbound traffic only, on their present operation between Los Angeles and the California-Nevada State Line near Wheaton Springs via South Alhambra solely for the purpose of accommodating, on intrastate busses, interstate passengers picked up at Pasadena for transportation to points beyond the California-Nevada State Line and subject to the restriction that no local service may be rendered between Los Angeles and Pasadena nor between

any or all points intermediate thereto over and along the following route:

"From the Union Pacific Stage Depot at 451 South Main Street, Los Angeles, north on Main Street to Sunset Boulevard; turn left on Sunset Boulevard to North Broadway; turn right on North Broadway to Pasadena Avenue; turn left on Pasadena Avenue to North Figueroa; turn right on North Figueroa to Pasadena Avenue; thence over Pasadena Avenue to Mission Street; over Mission Street to Fair Oaks; turn left on Fair Oaks to Green Street; thence over Green Street to the Bus Depot located on the corner of Green and Marengo Streets, entering the Bus Depot at Pasadena on the Green Street entrance and departing on the Marengo Street entrance; turn right to Colorado Boulevard to Los Robles; right on Los Robles to Wilson Avenue; right on Wilson Avenue to Huntington Drive, on crossing Huntington Drive, Wilson Avenue is then renamed Atlantic Avenue; continuing on Atlantic Avenue to Garfield Avenue; turn left on Garfield Avenue to Valley Boulevard where the said alternate route connects with applicant's regular route."

IT IS HEREBY ORDERED that a certificate of public convenience and necessity therefor be, and the same is, hereby granted to Union Pacific Stages of California subject to the following conditions:

1. Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from date hereof, stipulating therein that said certificate is granted as an extension and enlargement of applicants present operating rights to be consolidated therewith and is not a new and separate right.
2. Applicants shall commence the service herein authorized within a period of not to exceed thirty (30) days from the effective date hereof, and shall file in triplicate and concurrently make effective on not less than ten days' notice to the Railroad 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 conform to the certificate herein granted, or rates and rules satisfactory to the Railroad Commission.
3. Applicants shall file, in duplicate, and make effective within a period of not to exceed thirty (30) days after the effective date of this order, on

not less than five days' notice to the Railroad 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 obtained.

5. No vehicle may be operated by applicants herein unless such vehicle is owned by said applicants or is leased by applicants under a contract or agreement on a basis satisfactory to the Railroad Commission.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 16th day of July, 1936.

M. B. Harris

William W. ...

Frank ...
Commissioners