

Decision No. 29772

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
PACIFIC ELECTRIC RAILWAY COMPANY, a  
corporation, for an in lieu certificate  
of public convenience and necessity. }  
Thirty-second Supplemental  
Application No. 17984 }

BY THE COMMISSION.

**ORIGINAL**

SUPPLEMENTAL ORDER

Pacific Electric Railway Company, on May 7, 1937, filed its Thirty-second Supplemental Application No. 17984, seeking authority to change the route of its Glendale Motor Coach Line No. 2 by extending the same from the intersection of Ethel and Mountain Streets along Mountain Street, Verdugo Road and Canada Boulevard to Towne Street. The application proposes that the greater part of the service will continue to terminate at the intersection of Ethel and Mountain Streets as at present, but that certain trips will be operated through on the extended route at times when needed to accommodate students of the new Glendale Junior College. No changes in fares or schedules are proposed in this application.

It appears that a public hearing is not necessary herein and that the permission sought should be granted.

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 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 operation by Pacific Electric Railway Company of an automotive passenger stage service for the transportation of passengers along the following described route:

GLENDALE MOTOR COACH LINE NO. 2

Beginning at the intersection of Grandview Avenue and Kenneth Road, north on Grandview Avenue, west on Bel Aire Drive, north on Elm Avenue, west on Mountain Street, south on Alameda Avenue, west on 10th Street, south on Grinnell Drive, east on Kenneth Road, south on Olive Street to San Fernando Road.

Returning via reverse of the above route as far as the intersection of 10th Street and Alameda Avenue, thence south on Alameda Avenue, east on Kenneth Road, south on Pacific Avenue, east on California Avenue, south on Orange Street, east on Broadway, north on Jackson Street, east on Doran Street, north on Geneva Street, east on Stocker Street, north on Rossmoyne Avenue, east, north and east on Mountain Street, northerly on Verdugo Road and Canada Boulevard to Towne Street. On Westbound trips, route through the business district of Glendale will be as follows: From the intersection of Broadway and Maryland Avenue, thence south on Maryland Avenue, west on Harvard Street, north on Brand Boulevard, west on California Avenue to Orange Street,

in lieu of the route described in Decision No. 27202, dated July 10, 1934, and amended by Decision No. 28804, dated May 11, 1936, both in this proceeding.

The above described route is 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, and

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 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 (10) 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 satisfactory to the Railroad Commission.

- (3) Applicant 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 (5) 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 applicant herein, unless such vehicle is owned by said applicant or is leased by applicant 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 17<sup>th</sup> day of

May, 1937.

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*Frank R. Allen*  
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*Robert W. ...*  
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*Ray ...*  
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Commissioners.