

Decision No. 29774

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of the LOS ANGELES RAILWAY CORPO-) Fifteenth Supplemental
RATION for an in lieu certificate) Application No. 19179
for its motor coach lines.)

BY THE COMMISSION.

SUPPLEMENTAL ORDER

ORIGINAL

Los Angeles Railway Corporation, on May 1, 1937, filed its Fifteenth Supplemental Application No. 19179, seeking authority to change the route of its Alvarado Street motor coach line by extending the same from the intersection of Alvarado Street and Sunset Boulevard northerly to the intersection of Alvarado Street and Scott Avenue. The proposed change is requested in order that better service may be rendered to that territory lying between Sunset Boulevard and Glendale Boulevard which is not now served by any motor coach line. The extension of the service as proposed herein is recommended by the Board of Public Utilities and Transportation of the City of Los Angeles, as indicated by Exhibit "B" attached to the application. No changes in schedules or rates of fares are proposed in this application.

It appears that a public hearing is not necessary herein and that this Fifteenth Supplemental Application should be granted.

Los Angeles Railway Corporation 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 Los Angeles Railway Corporation of an automotive passenger stage service for the transportation of passengers along the following described route:

Commencing at the intersection of Washington Street and Hoover Street, thence via Hoover Street and Alvarado Street to the intersection of Alvarado Street and Scott Avenue, and return via the same route to the point of commencement,

in lieu of the route described in item 17 of Exhibit "A" attached to and made a part of Decision No. 27052, dated May 14, 1934, on Application No. 19179.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such service be, and the same hereby is, granted to Los Angeles Railway Corporation, 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 17th day of
May, 1937.

Frank P. Wheeler
Paul W. ...
Ray & Alley
Commissioners.