

Decision No. 28968

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of ORIGINAL STAGE LINE, INC., to)
change, alter and extend its ser-) Application No. 21157
vice between Burbank and Hollywood.)

BY THE COMMISSION:

ORIGINAL

O P I N I O N

Applicant Original Stage Lines, Inc., a corporation, by its application as amended, requests authority (a) to establish a new passenger stage service wholly within the city of Burbank; (b) to reroute its present service between Burbank and that portion of the city of Los Angeles known as Hollywood (two routes); and (c) to reroute its present service between Burbank and a portion of the city of Los Angeles located in San Fernando Valley known as North Hollywood, (two routes).

As justification for the authority sought applicant alleges that the granting thereof will result (1) in a new service between the city of Burbank proper and Union Air Terminal located within the corporate limits of Burbank and also an improved service via the connecting lines of applicant between Los Angeles, Hollywood, North Hollywood and said Union Air Terminal; (2) a better service between the various motion picture studios located within Burbank; (3) an improved service between Burbank and certain sections of the city of Los Angeles located within the San Fernando Valley including North Hollywood; (4) a new service between that portion of Burbank known as Magnolia Park and the community of North Hollywood and adjacent territory; and (5) an improved service between Burbank and Hollywood.

Applicant further alleges that the entire proposed plan of rerouting is the result of conferences between representatives of the applicant and city officials of the city of Burbank and executives of the Burbank Chamber of Commerce; that the City Council of the city of Burbank appointed a committee to investigate and study the needs for transportation service within said city and that said committee, in conjunction with the Burbank Chamber of Commerce, in effect proposed the changes in service applied for herein.

Pacific Electric Railway Company, in writing, has waived protest to the granting of the application. It, therefore, appears that a public hearing is not necessary. The application will be granted.

Original Stage Lines, Inc., 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 establishment and operation by Original Stage Lines, Inc. of an automotive service as a passenger stage corporation, as such is defined by Section 2 $\frac{1}{4}$ of the Public Utilities Act, for the transportation of passengers, baggage, and express between the

intersection of San Fernando Road and Olive Avenue in Burbank and the Union Air Terminal in Burbank and intermediate points over and along the following route:

Beginning at the intersection of San Fernando Road and Olive Avenue, in the city of Burbank, thence along San Fernando Road to Burbank Boulevard, to Victory Boulevard, to Hollywood Way, to Empire Avenue, to Union Air Terminal.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity therefor is hereby granted to Original Stage Lines, Inc., subject to the following conditions:

1. In the transportation of express no single package shall be accepted for shipment weighing in excess of twenty (20) pounds and all such shipments must be transported on passenger vehicles only.
2. Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from date hereof.
3. 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 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 be identical with the rates and rules shown in the exhibit attached to the application in so far as they conform to the certificate herein granted, or rates and rules satisfactory to the Railroad Commission.
4. 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 days' notice to the Railroad Commission and the public, time schedules covering the service herein authorized in a form satisfactory to the Railroad Commission.
5. 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.
6. 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.

IT IS HEREBY FURTHER ORDERED that Original Stage Lines, Inc., is hereby authorized to reroute its passenger stage operations between Burbank and the areas of Los Angeles known as Hollywood and North Hollywood over and along the following routes to-wit:

(a) Beginning at the intersection of Olive Avenue and San Fernando Road in the city of Burbank; thence via Olive Avenue to First Street; to Magnolia Boulevard; to Hollywood Way; to Olive Avenue; to Barham Boulevard (Dark Canyon Road); to Cahuenga Boulevard; to Selma Avenue; to a public alley located between Wilcox Avenue and Cahuenga Boulevard; to applicant's terminal located at 1629 Cahuenga Boulevard in Hollywood;

(b) Beginning at the intersection of Olive Avenue and San Fernando Road in the city of Burbank; thence via Olive Avenue to Rowland Avenue; to Clybourn Avenue; to Moor Park Street; to Cahuenga Boulevard; to Lankershim Boulevard; to Cahuenga Boulevard; to Selma Avenue; to a public alley located between Wilcox Avenue and Cahuenga Boulevard; to applicant's terminal located at 1629 Cahuenga Boulevard in Hollywood.

(c) Beginning at the intersection of Olive Avenue and San Fernando Road in the city of Burbank; thence via Olive Avenue to First Street; to Magnolia Boulevard; to Hollywood Way; to Olive Avenue; to Pass Avenue; to Riverside Drive; to Cahuenga Boulevard; to Moor Park Street; to Colfax Avenue; to Ventura Boulevard; to Laurel Canyon Boulevard; to Magnolia Boulevard; to Lankershim Boulevard; to Burbank Boulevard; to Cahuenga Boulevard; to Riverside Drive; to Pass Avenue; to Olive Avenue; to Hollywood Way; to Magnolia Boulevard; to First Street; to Olive Avenue; to the point of beginning.

(d) Beginning at the intersection of Olive Avenue and San Fernando Road in the city of Burbank; thence via Olive Avenue to Lake Street; to Alameda Avenue; to Olive Avenue; to Pass Avenue; to Riverside Drive; to Cahuenga Boulevard; to Burbank Boulevard; to Lankershim Boulevard; to Magnolia Boulevard; to Laurel Canyon Boulevard; to Ventura Boulevard; to Colfax Avenue; to Moor Park Street; to Cahuenga Boulevard; to Riverside Drive; to Pass Avenue; to Olive Avenue; to Alameda Avenue; to Lake Street; to Olive Avenue; to the point of beginning.

IT IS HEREBY FURTHER ORDERED that Decision No. 28801, dated May 11, 1936, Decision No. 29142, dated September 28, 1936, Decision No. 29541, dated February 13, 1937, all on Application No. 20515, are hereby revoked and annulled.

IT IS HEREBY FURTHER ORDERED that routes (c) and (d) hereinabove set forth are authorized in lieu of the route set forth at sheet 22 of original Decision No. 29633, dated April 5, 1937.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 27th day of July, 1937.

William H. Hall

Frank R. Healy
Robert A. Healy

COMMISSIONERS.