

Decision No. 30433

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
J. C. CRANE for a certificate of public)
convenience and necessity to operate a)
passenger service between the Broad-)
view Subdivision situated on the Green)
Valley road approximately 1.3 miles)
north of Freedom in the County of Santa)
Cruz, State of California, and the)
Pacific Hotel on Railroad Avenue,)
approximately one mile east of Watson-)
ville Junction in the County of Monterey,)
State of California.)

Application
No. 21611

ORIGINAL

BY THE COMMISSION:

O P I N I O N

In this application as amended, J. C. Crane has requested a certificate of public convenience and necessity for authority to establish and operate an automotive service for the transportation of passengers between the Broadview Subdivision situated on the Green Valley road approximately 1.3 miles north of Freedom in the county of Santa Cruz and the Pacific Hotel on Railroad Avenue approximately one mile east of Watsonville Junction and intermediate points via Watsonville.

The applicant alleges for justification of the granting of the authority requested that in the last few years the territory about the northern terminus of the proposed stage line has developed rapidly, many subdivisions in the immediate vicinity thereof being placed on the market and many homes have been erected thereon. The road to be traversed by the proposed stage line is also built up with homes and the northerly portion of the city of Watsonville through which it is proposed to operate is thickly populated and now constitutes the most desirable residential district of said city; that a great many residents of Watsonville and vicinity are employed by the Southern Pacific Railroad shops at Watsonville Junction which

are near the southerly terminus of the proposed route; that, at the present time, there are no means of transportation between any of the said districts or between said districts and Watsonville except by private conveyance; that the number of persons residing within the limits of the city of Watsonville is estimated at approximately 10,000 and the number of persons living in territory along the route northerly and southerly of the city of Watsonville, which the proposed stage line will serve, is estimated at approximately 5,000.

Applicant further alleges that all of the hereinbefore described outlying districts of the city of Watsonville, as well as the subdivision within the city limits which are a considerable distance from the center or business district of the city of Watsonville, are in need of a transportation service such as is proposed herein.

It appears that Pacific Greyhound Lines is operating over a portion of applicant's proposed route but having submitted, in writing, a waiver of protest to the granting of the application, it would seem that a public hearing is not necessary thereon and the application being in the public interest will be granted.

J. C. Crane 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 J. C. Crane of a passenger stage service as defined in section 2-1/4 of the Public Utilities Act as a common carrier for the transportation of passengers between Broadview Subdivision and Pacific Hotel, on Railroad Avenue, and intermediate points including Watsonville over and along the following route:

Beginning at Broadview Subdivision on Green Valley Road approximately 1.3 miles northerly from the village of Freedom, Santa Cruz County; thence southerly along said Green Valley Road to the village of Freedom; thence northwesterly along the Watsonville-Santa Cruz Highway (State Highway No. 1) 0.3 miles to Eucks Service Station at the junction of such Highway with the so-called Roache Road; thence return southeasterly over said Watsonville-Santa Cruz Highway (State Highway No. 1) through the village of Freedom and Roselawn Subdivision to the intersection of said Watsonville-Santa Cruz Highway with Lincoln Street in the city of Watsonville; thence along Lincoln Street to California Street, to Brewington Avenue, to East Lake Avenue, to Main Street, to Porter Drive, to Watsonville-Salinas Road, to Watsonville Junction.

Beginning at the intersection of Watsonville-Salinas Road and Railroad Avenue in the town of Pajaro; thence easterly along said Railroad Avenue 0.6 miles to the Pacific Hotel.

Beginning at the intersection of Lincoln Street and High Street in Watsonville; thence southwesterly along High Street to Main Street to the Notre Dame Academy opposite Ford Street.

IT IS ORDERED that a certificate of public convenience and necessity is granted to J. C. Crane 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.
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 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.

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 days' notice to the Railroad Commission and the public, a time schedule or 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 twenty (20) days from the date hereof.

Dated at San Francisco, California, this 20th day of December, 1937.

Walter H. ...
Leon ...
Frank ...
Ray ...
Ray & Rice
COMMISSIONERS.