

Decision No. 34726

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
PACIFIC GREYHOUND LINES, a corporation )  
for extension of certificate of public )  
convenience and necessity to operate )  
automotive stage service for the )  
transportation of passengers, baggage )  
and express to and from the Central )  
Station in the City of Los Angeles. )

Application No. 21827

ORIGINAL

BY THE COMMISSION:

O P I N I O N

By this application Pacific Greyhound Lines, a corporation, is seeking a certificate of public convenience and necessity to operate as a common carrier of passengers, baggage and express between Central Station (joint depot of the Southern Pacific Company and the Union Pacific Railroad Company) at Fifth and Central Streets, in the city of Los Angeles, the specific streets to be defined as follows:

- (a) From the intersection of 6th Street and Central Avenue to Central Station via Central Avenue.
- (b) From the intersection of 6th and San Pedro Streets to Central Station via 5th Street and San Pedro Street.
- (c) From the intersection of 2nd and Los Angeles Streets to Central Station via 2nd Street and Central Avenue.
- (d) From the intersection of Macy and Alameda Streets to Central Station via Alameda Street, 4th Street and Central Avenue.

As justification for the certificate requested, applicant alleges that requests are occasionally made upon applicant by the Southern Pacific Company for emergency bus service to operate from Central Station in the city of Los Angeles to various points on its

rail routes outside the city of Los Angeles, in order to provide service for train passengers account delayed trains or other emergency conditions and inasmuch as applicant's routes are defined in the city of Los Angeles, it is desired that the route to be used in such emergency service be specified in applicant's certificate herein.

The Board of Public Utilities and Transportation of the City of Los Angeles by letter of March 8, 1938, advised it had no objections to the granting of the application.

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

Pacific Greyhound Lines 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

Pacific Greyhound Lines having filed an application therefor,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the establishment and operation by Pacific Greyhound Lines of an automotive service as a common carrier as defined in section 2-1/4 of the Public Utilities Act for the transportation of passengers, baggage and express between Central Station (joint depot of the Southern Pacific Company and the Union Pacific Railroad Company at Fifth and

Central Streets) in the city of Los Angeles and its existing routes entering and leaving the city of Los Angeles as an extension and enlargement of the operating rights heretofore granted by Decision No. 23244, dated December 31, 1930, over and along the following routes:

- (a) From the intersection of 6th Street and Central Avenue to Central Station via Central Avenue.
- (b) From the intersection of 6th and San Pedro Streets to Central Station via 5th Street and San Pedro Street.
- (c) From the intersection of 2nd and Los Angeles Streets to Central Station via 2nd Street and Central Avenue.
- (d) From the intersection of Macy and Almaden Streets to Central Station via Alameda Street, 4th Street and Central Avenue.

IT IS ORDERED that a certificate of public convenience and necessity therefor is granted to Pacific Greyhound Lines subject to the following conditions:

1. Applicant shall file 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 the date hereof.

Dated at San Francisco, California, this 28<sup>th</sup> day of March, 1938.

Arthur M. M.  
Leon O. Whisell  
Frank R. Brown  
Robert Watson  
Ray L. Allen  
COMMISSIONERS