

Decision No. 32461

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
P. C. CROSS, doing business as HEMET )  
BUS LINE, for a certificate of public )  
convenience and necessity to operate )  
bus service as a common carrier of ) Application No. 23028  
passengers, baggage and express be- )  
tween Riverside, and San Jacinto and )  
Hemet, California. )

BY THE COMMISSION:

ORIGINAL

O P I N I O N

In this application P. C. Cross seeks a certificate of public convenience and necessity for the continued operation of an automotive passenger stage service for the transportation of passengers, baggage and express between Riverside, San Jacinto and Hemet and intermediate points, over the route as set forth in the application.

Applicant is now providing the identical service, for which a certificate is herein sought, under a lease arrangement with Motor Transit Company, heretofore authorized by the Commission's Decision No. 32222, dated August 1, 1939, on Application No. 22812, which expires February 1, 1940. Said operative right was subsequently transferred by Motor Transit Company, effective September 1, 1939, to Pacific Electric Railway Company, under the authority of the Commission's Decision No. 32167, dated July 18, 1939, on Application No. 22582. Pacific Electric Railway Company has concurrently filed its thirty-ninth supplemental Application No. 17984, requesting authority to abandon the operative right acquired from Motor Transit Company under the authority of said Decision No. 32167.

It is by virtue of the aforesaid circumstances that applicant Cross is now seeking the certificate prayed for. The application therefore appears to be in the public interest and will be granted. No public hearing is necessary.

P. C. Cross 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 P. C. Cross, as a passenger stage corporation, as that term is defined in section 2 $\frac{1}{2}$  of the Public Utilities Act, of an automotive common carrier service for the transportation of passengers, baggage and express, between Riverside and Hemet and intermediate points via Gilman's Hot Springs and San Jacinto over and along the following route:

Beginning at Riverside, thence over U. S. Highway No. 60 and U. S. Highway No. 83 via Gilman's Hot Springs and San Jacinto to Hemet, with an alternate route via Soboba Hot Springs by diverting from U. S. Highway No. 83 at Soboba Junction, thence over county roads to Soboba Hot Springs to San Jacinto, connecting with U. S. Highway No. 83.

IT IS ORDERED that a certificate of public convenience and necessity therefor is hereby granted to P. C. Cross subject to the following conditions:

