

Decision No. 32522

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
PACIFIC ELECTRIC RAILWAY COMPANY, a)
corporation, and LOS ANGELES RAILWAY) Seventeenth Supplemental
CORPORATION, a corporation, for an) Application No. 16820.
in lieu certificate for their jointly)
operated motor coach lines.)

SIXTEENTH
SUPPLEMENTAL ORDER

Applicants desire to extend the Western Avenue Line southerly from its present southerly terminus at Western Avenue and Manchester Avenue along Western Avenue to a new southerly terminus at the intersection of 104th Street and Western Avenue. The proposed extension will provide service to a rapidly growing territory which contains approximately 900 dwellings and an estimated population of 3,200 persons.

The same equipment now operated on the Western Avenue Line will be operated on the proposed extension and it is proposed to provide a service of 20 minute frequency from approximately 6:00 A.M. to 8:00 P.M., 15 minute frequency from approximately 8:00 P.M. to 10:00 P.M., and 20 minute frequency from approximately 10:00 P.M. to 12:00 o'clock Midnight, daily.

No changes in the rates of fare of the existing Western Avenue Line are proposed, but Manchester Avenue is the southerly limit of the 10-cent fare zone and fares on the extension will be as shown on Exhibit "B" attached to the application.

Pacific Electric Railway Company and Los Angeles Railway Corporation are 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 as 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 establishment by Pacific Electric Railway Company and Los Angeles Railway Corporation of an extension of their Western Avenue Motor Coach Line along Western Avenue from the present terminus from Manchester Avenue to 104th Street to be considered as part of the in lieu certificate granted by this Commission's Decision No. 26079, dated June 19, 1933, in Application No. 18820.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such service is hereby granted to Pacific Electric Railway Company and Los Angeles Railway Corporation, subject to the following conditions:

- (1) Applicants shall file a written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from the date hereof.
- (2) Applicants shall commence the service herein authorized within a period of not to exceed thirty (30) days from the effective date hereof and shall file, intriplicate, and concurrently make effective, on not less than one day's 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) Applicants 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.
- (4) The rights and privileges herein authorized may not be discontinued, sold, leased, transferred or 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 applicants herein unless such vehicle is owned by said applicants or is leased by applicants under a contract or agreement on a basis satisfactory to the Railroad Commission.

- (6) Applicants are authorized to turn their motor vehicles at termini, either in the intersection of the streets or by operating around a block contiguous to such intersection in either direction and to carry passengers, as traffic regulations of the municipality may require.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 31st day
of October, 1939.

Robert A. ...
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Justin J. Casner
Commissioners