

Decision No. 25661

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
CHARLES R. CRAIGMILE for certificate )	
of public convenience and necessity )	Application No. 25661
to operate bus service, as a common )	
carrier, between Baldwin Park and )	
Terminal Island. )	

BY THE COMMISSION:

**ORIGINAL**

O P I N I O N

By his application in this proceeding Charles R. Craigmile seeks a certificate of public convenience and necessity authorizing the establishment of a service as a passenger stage corporation between Baldwin Park and Terminal Island, a distance of 40 miles, designed primarily to transport those employed at the shipyard of California Shipbuilding Corporation at the latter point. At present, applicant states, no public transportation facilities exist which would enable some 150 employees of this plant, now residing at Baldwin Park, to travel to and from their work. To provide this service applicant proposes to use two buses, comprising one International 1938 model, and one Dodge 1939 model, of 22 and 20 passenger capacity, respectively, operating under a time schedule providing, at the outset, three round trips daily, which would be coordinated with changes in shifts at the plant. Fares would be published of 35 cents one way, 65 cents round trip and a commutation fare of \$3.65 for six round trips.

There appears to be a public need for this service, which would be in furtherance of the war effort. Accordingly, the application will be granted. This is not a matter requiring a public hearing.

Charles R. Craigmile is placed upon notice that "operative

rights" as such do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. 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

Application having been made as above entitled; and the Commission now finding that public convenience and necessity so require,

IT IS ORDERED as follows:

(1) That a certificate of public convenience and necessity be and it hereby is granted to Charles R. Craigmile, an individual, authorizing the establishment and operation of a service as a passenger stage corporation, as defined by section 2 $\frac{1}{2}$  of the Public Utilities Act, for the transportation of passengers between Baldwin Park and Terminal Island.

Said certificate is granted subject to the following conditions:

- (a) No service may be rendered from or to any point intermediate to Baldwin Park and Terminal Island.
- (b) The authority herein granted is subject to the provisions of Section 52(b) of the Public Utilities Act and further to the condition that Charles R. Craigmile, his successors or assigns, shall never claim before this Commission, or any court or other public body, a value for said operative rights or claim as the cost thereof, an amount in excess of that paid to the State as the consideration for such rights.

(2) That in the operation of said passenger stage service applicant shall comply with and observe the following service regulations:

1. Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the effective date hereof.
2. Applicant shall comply with the provisions of General Order No. 79 and Part IV of General Order No. 93-A by filing, in triplicate, and concurrently making effective, tariffs and time schedules satisfactory to the Commission within sixty (60) days from the effective date hereof and on not less than five (5) days' notice to the Commission and the public.
3. Subject to the authority of this Commission to change or modify them at any time by further order, applicant shall conduct said passenger stage operations over and along the following routes:

Via Ramona Boulevard at Baldwin Park to Covina Boulevard, south on Covina Boulevard to Garvey Boulevard, west on Garvey Boulevard to Rosemead Boulevard, thence south on Rosemead Boulevard to Lexington-Gallitan Road, west on Lexington-Gallitan Road to Florence Avenue, north on Florence Avenue to Paramount Avenue to Olive Street, west on Olive Street to Alameda Street, south on Alameda Street to Cal-Ship Yards.

As a partial alternative route, via Ramona Boulevard at Baldwin Park to Valley Boulevard at El Monte, west on Valley Boulevard to Rosemead Boulevard, and thence via route above described.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 21<sup>st</sup> day of September, 1943.

Francis A. Stevenson  
[Signature]  
Richard [Signature]  
[Signature]  
 COMMISSIONERS