

Decision No. 36846

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of STOCKTON CITY LINES, INC. for a certificate of public convenience and necessity to operate (a) a motor bus route between Euclid and Grange Avenues in San Joaquin County, and San Joaquin Street and Weber Avenue in the City of Stockton, (b) along Pacific Avenue between Central and Monterey Avenues and (c) school tripper service between Alpine Street and Grange Avenue in San Joaquin County, and San Joaquin and Mariposa Streets in the City of Stockton, over streets described in Paragraph 11 of this application; (d) also for authority to abandon that portion of College of Pacific Line on N. and S. Central Avenues and on Kensington Way between Central and Monterey Avenues.

ORIGINAL
Application No. 25966

BY THE COMMISSION:

OPINION AND ORDER

In this application the Stockton City Lines, Inc. requests authority to extend a motor coach line into the Pacific Gardens area, a residential district located northwest of the City of Stockton, to serve people both outside and in the City of Stockton along this route between Pacific Gardens and the business section of the city, and combine this route with the No. 4 Ophir Street Line (Decision No. 34573 in Application No. 24580). The route over which it is proposed to operate this motor coach service will be hereinafter described.

Applicant alleges that if this request is granted there will be no further necessity for operating over that portion of the College-Main Line (Route No. 2) authorized in Decision No. 34573 in Application No. 24580, on North and South Central Avenues and on Kensington Way between Central and Monterey Avenues, and in lieu thereof operate said Route No. 2 along Pacific Avenue between Central and Monterey Avenues. This rearrangement of said Route No. 2 will materially shorten the route between the College of the Pacific and the business section of the city. Applicant further alleges that the areas through

which the new route and the rerouted No. 2 route are proposed to run are well developed and in need of local service.

Applicant also requests authority to operate a school tripper service on days when schools are in session between the intersection of Alpine Street and Grange Avenue and the intersection of San Joaquin and Mariposa Streets, over a route to be hereinafter described. This school tripper service will perform a direct service between the area northwest of the city limits of Stockton and certain schools in Stockton.

It appears that a public hearing is not necessary in this matter and that public convenience and necessity require the granting of this application.

Applicant 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.

IT IS HEREBY ORDERED that:

I. A certificate of public convenience and necessity be and it is hereby granted to Stockton City Lines, Inc., as a passenger stage corporation, as defined in Section 2½ of the Public Utilities Act, for the transportation of passengers between the Pacific Gardens area located northwest of the City of Stockton, and the City of Stockton, as an extension and enlargement of its present operative rights, and consolidated therewith, subject to the following conditions:

- (1) The service herein authorized shall commence within a period of not to exceed sixty (60) days from the effective date hereof.
- (2) The authority herein granted is subject to the provisions of Section 52(b) of the Public Utilities Act and further to the condition that Stockton City Lines, Inc., its 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.

II. In the operation of said passenger stage service pursuant to the foregoing certificate Stockton City Lines, Inc. shall comply with and observe the following service regulations:

- (1) Applicant shall file a written acceptance of the certificate herein granted within 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 tables satisfactory to the Commission within sixty (60) days from the effective date hereof and upon not less than one day's notice to the Commission and the public.
- (3) Subject to the authority of this Commission to change or modify such at any time by further order, Stockton City Lines, Inc. shall conduct such passenger stage operation over and along the following described routes:
 - a. Commencing at the intersection of Euclid and Grange Avenues in the County of San Joaquin; thence southerly along Grange Avenue to Country Club Boulevard; easterly along Country Club Boulevard and North Country Club Boulevard to Kensington Way; thence southerly along Kensington Way to Bedford Road; easterly along Bedford Road to Edison Street; thence southerly along Edison Street to Willow Street; thence easterly along Willow Street to San Joaquin Street; and southerly along San Joaquin Street to its intersection with Weber Avenue.
 - b. Commencing at the intersection of Monterey and Pacific Avenues; thence southerly along Pacific Avenue to Central Avenue.
 - c. School tripper on school days only. Commencing at the intersection of Alpine and Grange Avenues; thence easterly along Alpine Avenue to San Joaquin Street; thence southerly along San Joaquin Street to Mariposa Avenue; thence westerly along Mariposa Avenue to El Derado Street; and northerly along El Derado Street to Alpine Avenue; returning over the same route.

The complete route of the combined Pacific Gardens-North Ophir Street line is as follows:

Commencing at Euclid and Grange Avenues in the County of San Joaquin; thence on Grange Avenue to Country Club Boulevard; thence on Country Club Boulevard to the limits of the City of Stockton; thence continuing on Country Club Boulevard and North Country Club Boulevard in the City of Stockton to Kensington Way; thence on Kensington Way to Bedford Road; thence on Bedford Road to Edison Street; thence on Edison Street to Willow Street; thence on Willow Street to San Joaquin Street; thence on San Joaquin Street to its intersection with Weber Avenue, at which point the line would be combined with the North Ophir Street Line and continue over the following certificated route: On Weber Avenue to Grant Street; thence on Grant Street to Miner Avenue; thence on Miner Avenue to Ophir Street; thence on Ophir Street to Harding Way; thence on Harding Way to Funsten Avenue; returning over the same streets to point of commencement at Euclid and Grange Avenues.

The complete route of the No. 2 College-Main Line, as revised, is as follows:

Commencing with a loop around a block bounded by Main Street, Golden Gate Avenue, Anderson Street, and David Avenue; thence westerly on Main Street to the city limits of Stockton; thence continuing westerly on Main Street in the City of Stockton to El Dorado Street; thence northerly on El Dorado Street to Maple Street; thence westerly on Maple Street to Pacific Avenue; thence northerly on Pacific Avenue to Monterey Avenue; thence westerly on Monterey Avenue to Kensington Way; thence northerly on Kensington Way to Stadium Drive; thence easterly on Stadium Drive to Pacific Avenue; thence southerly on Pacific Avenue to Monterey Avenue; returning over the same route.

- (4) Applicant is authorized to turn its motor vehicles at termini or intermediate points 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.

III. Coincident with the establishment of the service hereinbefore authorized, Stockton City Lines, Inc. is hereby authorized to abandon motor coach service as follows:

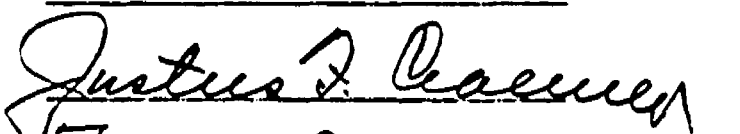

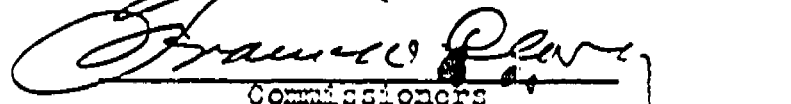
Commencing at the intersection of Pacific Avenue and Central Avenue; thence along North and South Central Avenues to Kensington Way; thence along Kensington Way to Monterey Avenue.

The Commission reserves the right to make such further orders in this proceeding as to it may seem just and proper, and to revoke this authority in whole or in part if in its judgment public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 1st day of February, 1944.






Commissioners