

Decision No. 36922

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 PACIFIC GREYHOUND LINES, a corporation,)
 for a certificate of public convenience)
 and necessity extending and enlarging)
 its operative rights to include oper-)
 ations over Santa Rita road between)
 North Pleasanton and Santa Rita as an)
 optional route to serve Camp Parks and)
 Fleet City (U.S. Naval Barracks))
 located on U. S. Highway 50 north of)
 Santa Rita, and to consolidate this)
 right with the remainder of applicant's)
 system.)

ORIGINAL

Application No. 26029

BY THE COMMISSION:

O P I N I O N

Pacific Greyhound Lines, a corporation, is rendering passenger stage service between Dublin and Santa Rita via U. S. Highway 50, and between Dublin and Pleasanton via Foothill Road and Bernal Avenue, pursuant to certificates of public convenience and necessity granted in Decision No. 23244, dated December 31, 1930, in Application No. 16989, as amended by Decision No. 25815, dated April 10, 1933, in Application No. 18784.

By the present application it seeks authority to operate over Santa Rita road between North Pleasanton and Santa Rita, a distance of 2.6 miles, as an optional route for the purpose of rendering additional service to Camp Parks and Fleet City, both U. S. Naval Barracks, which area is generally referred to by the United States Navy as Shoemaker, and is located on U. S. Highway 50 north of Santa Rita.

Attached to the application is a letter from the Commandant of the Twelfth Naval District stating that the service

is desirable from the Navy's standpoint and that the proposed operation is approved by the Office of Defense Transportation.

We are of the opinion that public convenience and necessity require the proposed service and that the application should be granted. There appears no necessity for a public hearing.

Pacific Greyhound Lines 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 in the above entitled matter, and the Commission being duly advised in the premises,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Pacific Greyhound Lines, a corporation, authorizing the establishment and operation of a service as a passenger stage corporation, as defined in Section 24, Public Utilities Act, for the transportation of passengers, baggage and shipments of express weighing not in excess of one hundred pounds (100) each, on passenger-carrying vehicles, over and along Santa

Rita road connecting North Pleasanton and Santa Rita, as an extension and enlargement of the operative rights heretofore granted to applicant by Decisions Nos. 23244 and 25815, said operation to be consolidated with the remainder of applicant's system, and to be conducted as an optional route and limited to rendering such additional service as may be necessary to meet the traffic requirements of the United States Navy at Camp Parks and Fleet City.

(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 one (1) day's notice to the Commission and the public.

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

Dated at San Francisco, California, this 7th day of March, 1944.

Richard Radise
Justus F. Coe
Francis R. Havens
Thomas A. Coe
Earl A. Lawrence
COMMISSIONERS