

ORIGINAL

Decision No. 37028

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
PACIFIC GREYHOUND LINES, a corpo- )  
ration, for a certificate of public )  
convenience and necessity to trans- )  
port passengers and baggage over )  
additional routes in Ventura County, )  
California, in rendering service to )  
the United States Naval Base, known )  
as Camp Rousseau, and also Point )  
Mugu and to consolidate the same with )  
the remainder of its system. )

Application No. 26080

BY THE COMMISSION:

O P I N I O N

Applicant, Pacific Greyhound Lines, a California corporation, is presently engaged, as a passenger stage corporation, in the transportation of passengers and baggage between many points throughout the State of California, including service between Camp Rousseau located approximately three miles southwest of Oxnard and Los Angeles along both U. S. Highway No. 101 via Camarillo and U.S. Highway No. 101A via Santa Monica, pursuant to certificate of public convenience and necessity heretofore granted to applicant by this Commission in Decision No. 23244, rendered December 31, 1930, in Application No. 16989, and Decision No. 36376, rendered May 25, 1943, in Application No. 25625.

Applicant now seeks authority to transport passengers and baggage, between Camp Rousseau and its present routes, over three additional routes and to consolidate such operation with its present service to said camp. The proposed routes are as follows:

- (1) From the Naval base gates at Port Hueneme east along Hueneme Road to its intersection with Wood Road, a distance of approximately 6.2 miles.
- (2) Along Wood Road from its intersection with U. S. Highway No. 101A north to its intersection with East Fifth Street, a distance of approximately 4.5 miles.
- (3) Along Ventura Road from its intersection with Hueneme Road north to junction with existing route of applicant on Ventura Road, a distance of approximately 2.2 miles.

As justification for the establishment of such service, applicant alleges:

that Camp Rousseau is one of the major Naval bases on the Pacific Coast; that gates to the base are located along Ventura Road, Hueneme Road, and also at Point Mugu on U.S. Highway No. 101A; that in order to render efficient service to this Naval base public convenience and necessity require the operation of said additional routes, all of which are adjacent to or in the immediate vicinity of said base; that applicant has undertaken to serve this Naval base, including Point Mugu, and has been requested by the proper officers of said base to operate over these additional routes so that the service may be made more complete and flexible; that operations over said additional routes will result in (1) a substantial saving in time in transit and (2) a substantial saving in mileage on movements of Navy personnel to and from Los Angeles, Santa Monica, and intermediate points; that in addition the proposed operations will result in a saving in rubber and equipment, all of which is in the public interest.

No local service is proposed between any points on said routes, the service proposed being only between said Naval base (including Point Mugu), on the one hand, and on the other hand, points on the present operations of applicant north and east of but not including, Oxnard, and points south of Point Mugu.

Applicant states that it proposes to operate over said additional routes such service as the traffic needs of said Naval base may require and will adjust its schedules and operate such

additional schedules as may be necessary to satisfy such traffic needs.

The present rates, as set forth in applicant's Local Passenger Tariff No. 292, C.R.C. No. 637, for service to Camp Rousseau, will be made applicable to the proposed service.

A public hearing is not deemed necessary, and as the proposed service is necessary and in the public interest, the application will, therefore, be granted.

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 2½ of the

Public Utilities Act, for the transportation of passengers and baggage between Camp Rousseau and points on its present routes as hereinafter set forth, and to consolidate said operations with the operative rights heretofore granted by Decision No. 23244, dated December 31, 1930, in Application No. 16989, and by Decision No. 36376, dated May 25, 1943, in Application No. 25625, subject to the following restriction and condition:

- (a) No local service shall be rendered between Oxnard and Camp Rousseau, or points intermediate thereto.
- (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 Pacific Greyhound Lines, 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.

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

1. 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. 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.
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 service over and along the following routes:
  - (a) From the Naval base gates at Port Hueneme east along Hueneme Road to its intersection with Wood Road, a distance of approximately 6.2 miles.

- (b) Along Wood Road from its intersection with U.S. Highway No. 101A north to its intersection with East Fifth Street, a distance of approximately 4.5 miles.
- (c) Along Ventura Road from its intersection with Hueneme Road north to junction with existing route of applicant on Ventura Road, a distance of approximately 2.2 miles.

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

Dated at San Francisco, California, this 2nd  
day of May, 1944.

Richard Lachse  
Justus F. Cramer  
Francis R. Havenner  
Frank W. Crowl  
Irving L. Luce  
COMMISSIONERS