

Decision No. 37151

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
LONG BEACH MOTOR BUS COMPANY, a)	
California corporation, for a certifi-))	
cate of public convenience and)	Application No. 26194
necessity, authorizing the changing of)	
a portion of the route (between)	
Long Beach and Bellflower).)	

BY THE COMMISSION:

ORIGINAL

O P I N I O N

Applicant Long Beach Motor Bus Company, a corporation, is providing a passenger stage service between the intersection of Ocean Boulevard and Pine Street, Long Beach, and the intersection of Center Street and Bellflower Boulevard, Bellflower, and intermediate points, under a certificate heretofore granted by the Commission's Decision No. 34097 (43 C.R.C. 460). The route of operation is defined in the service regulations of said Decision No. 34097 as later amended by Decision No. 36093. Applicant now requests the Commission to modify the route in certain minor respects. It also requests the Commission to authorize it to use an additional route between the same termini.

There would be no change in the present fare structure of applicant between points presently served and such fares would also apply to points on the proposed additional route. About twenty-two round-trip schedules would be operated daily over each of the routes between 6:00 A.M. and 12:00 P.M.

As justification for the authority sought applicant asserts that operation over the proposed modified route and additional route would enable it to better serve the area known as

Lakewood City, that portion of the area lying northerly of Lakewood City and Lakewood Village, the area lying between Lakewood Boulevard and Bellflower Boulevard and the area east of Bellflower Boulevard and west of Lakewood Boulevard. The additional route would enable applicant to provide a more adequate service in the area adjacent to Lakewood Boulevard south of its intersection with Spring Street. The application states that the areas referred to have recently experienced a very rapid and extensive growth in population. Many of the residents are dependent upon applicant's facilities for transportation to the Douglas and Vultee Aircraft plants and the various shipyards and industries located around Long Beach and Wilmington. It is asserted that there are no other common carrier facilities available between the points involved.

After full consideration of applicant's request it is our opinion that the authority sought is in the public interest and should be granted. No public hearing is necessary.

Long Beach Motor Bus Company 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.

ORDER

An application therefor having been filed and good cause appearing,

IT IS ORDERED as follows:

(1) That a certificate of public convenience and necessity is hereby granted to Long Beach Motor Bus Company, a corporation, authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 2 $\frac{1}{2}$ of the Public Utilities Act, for the transportation of passengers between Long Beach, Lakewood Village, Bellflower and intermediate points as an extension and enlargement of and consolidated with the operative rights created by Decision No. 29232, in the place and stead of the operative right created by Decision No. 34097 as modified by Decisions Nos. 34173 and 36093.

(2) That the certificate of public convenience and necessity granted by Decision No. 34097, as modified by Decisions Nos. 34173 and 36093, is hereby revoked and annulled.

(3) That in providing service pursuant to the certificate herein granted Long Beach Motor Bus Company 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 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, appropriate tariffs and time schedules satisfactory to the Commission within 60 days from the effective date hereof and on not less than 1 day's notice to the Commission and the public.

- 3. Subject to the authority of this Commission to change or modify them by further order, applicant shall conduct operations, pursuant to the certificate herein granted, over and along the following streets, highways or routes, or any combination thereof:

Beginning at the intersection of Broadway and Locust Avenue (Long Beach), thence along Broadway, Cherry Avenue, Spring Street, Lakewood Boulevard, Conant Street, Bellflower Boulevard to its intersection with Center Street in Bellflower. Beginning at the intersection of Broadway and Cherry Avenue, thence along Broadway, Ximeno Avenue, Los Alamitos Circle, Lakewood Boulevard, Harvey Way, Clark Avenue, Flower Avenue to the intersection of Bellflower Boulevard.

Applicant may turn its motor vehicles in either direction at termini or intermediate points either in the intersection of the streets or by operating around a block contiguous to such intersection.

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

Dated at San Francisco, California, this 27th day of June, 1944.

Richard Kachke
Justin F. Caswell
Francis R. Havens
Ernest C. Carr
Ernest Russell
 COMMISSIONERS