

37254

Decision No. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
the LANDIER TRANSIT CO. INC., a)
corporation, for a Certificate of)
Public Convenience and Necessity to)
operate an automotive passenger ser-)
vice between the terminal of 116th)
Street and Athens Way, and the)
terminal of Zoe and Rugby,)
Huntington Park, California)

Application No. 24301
Fourth Supplemental

BY THE COMMISSION:

O P I N I O N

Applicant Landier Transit Co., Inc., a corporation, now provides a passenger stage service between Los Angeles and points outside the corporate boundary thereof in the Watts-Huntington Park district under a certificate heretofore issued by the Railroad Commission, as well as between other points not involved in the application herein considered.

Among the various routes over which applicant provides service is one between the intersection of Imperial Highway and Stanford Street, in Los Angeles, and the intersection of Pacific Avenue and Zoe Street and Huntington Park which is commonly referred to as Watts-Huntington Park Line (Line "C"). The route used in providing service between these termini is described in the service regulation in the order of the Decision No. 34663. In the above entitled fourth supplemental application, applicant requests a certificate authorizing it to extend this service to the intersection of 116th Street and Athens Way from a point on the foregoing described Watts-Huntington Park Line (Line "C") at the intersection of 103rd Street and Central Avenue, as an extension

and enlargement of its operative rights created by said Decision No. 34663. Applicant's present 7 cent local fare would apply over the proposed extension with transfer privileges over lines operated in the same vicinity. Service over the proposed extension would be operated on a 60 minute headway from approximately 6:30 A.M. to approximately 10:30 P.M.

As justification for the authority sought, applicant asserts that the proposed service would supplement existing service in the area involved; that such proposed service is in a general easterly and westerly direction across the southerly portion of Los Angeles whereas other transportation facilities run in a general northerly and southerly direction. It is further stated that there has been a large increase in population in the area applicant proposes to serve, a large portion of which is employed in the numerous factories and industries recently established in the district involved. It is also stated that there are no transportation facilities for the employees of these industries who reside along the proposed route of operation.

Los Angeles Railway Corporation, the only other passenger carrier serving the points involved, has informed the Commission that it does not desire to offer any objection to the granting of the authority requested.

After a full consideration of applicant's proposal, it is our judgement that the authority sought is in the public interest and should be granted.

Landier Transit Co., Inc. is hereby 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

The Commission having fully considered applicant's request, and it being hereby found that public convenience and necessity so require,

IT IS ORDERED as follows:

(1) That a certificate of public convenience and necessity is hereby granted to Landier Transit Co., Inc., a corporation, authorizing the establishment and operation of service as a passenger state corporation, as defined in Section 2½ of the Public Utilities Act, for the transportation of passengers between the intersection of 103rd Street and Central Avenue and the intersection of 116th Street and Athens Way and intermediate points, as an extension and enlargement of and consolidation with the operative rights heretofore granted to applicant by Decision No. 34663.

(2) That in providing service pursuant to the foregoing certificate, applicant shall comply with and observe the following service regulations:

- (a) 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.

- (b) 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 within 60 days from the effective date hereof and on not less than 5 days' notice to the Commission and the public.
- (c) Subject to the authority of this Commission to change or modify it by further order, applicant shall conduct operations, pursuant to the certificate herein granted, over and along the following route:

Beginning at the intersection of 103rd Street and Central Avenue thence along 103rd Street, 102nd Street, Main Street, Imperial Highway, Broadway, 116th Street to the intersection of Athens Way.

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

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

Dated at San Francisco California, this 8th day of August 1944.

Richard Lachse
Justin J. Calmes
Francis R. Havenner
Amos Wilson
Walter Russell
 COMMISSIONERS