

Decision No. 37415

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of PACIFIC GREYHOUND LINES, a )  
corporation, to consolidate its )  
operative right authorizing ser- )  
vice between Rockport and Petaluma )  
and intermediate points along )  
State Highway No. 1, with the re- )  
mainder of applicant's system. )

**ORIGINAL**

Application No. 26346

BY THE COMMISSION:

O P I N I O N

In this proceeding, Pacific Greyhound Lines, a passenger stage corporation, requests a certificate of public convenience and necessity under Section 50 $\frac{1}{2}$ , Public Utilities Act, authorizing the consolidation with the remainder of its system of a passenger stage operative right, which it acquired pursuant to Decision No. 36823, rendered January 18, 1944, in Application No. 25929. In that proceeding, applicant was authorized to acquire from Coast Line Stages, Inc. an operative right for the transportation of passengers, baggage and express between Rockport and Petaluma and intermediate points.<sup>(1)</sup>

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(1) This certificate, which was granted originally to Coast Line Stages, Inc. by Decision No. 34300, rendered June 10, 1941, in Application No. 23698, authorized a passenger stage service for the transportation of passengers, baggage and express between Rockport and Petaluma and intermediate points over the following route:

Beginning at Rockport on California State Highway No. 1, thence southerly to Jenner, thence via State Highway No. 1 via Bodega, Valley Ford, Bloomfield and Two Rock to Petaluma, and returning over the same route in the reverse direction.

Express shipments, limited to those not exceeding 100 pounds each, could be handled on passenger vehicles only.

In the transfer proceeding, authority was neither requested nor granted to consolidate the operation with the remainder of applicant's system. As a result, service has been provided over this operative right under local tariffs only. Were applicant permitted to merge this operation with the remainder of its system, through service could be afforded under through rates and fares between points upon this operative right and other points throughout applicant's system. When required by traffic needs, service could be conducted under through schedules. Manifestly, this would be in the public interest. No other passenger common carrier now serves the territory involved. The application, accordingly, will be granted. This is not a matter requiring a public hearing.

Pacific Greyhound Lines 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

Application having been made as above entitled, and the Commission now finding that public convenience and necessity so require,

IT IS ORDERED as follows:

(1) That a certificate of public convenience and necessity be and it hereby is granted to Pacific Greyhound Lines, a corporation, under Section 50 $\frac{1}{2}$ , Public Utilities Act, authorizing the consolidation, merger and unification with the remainder of its passenger stage system, of the passenger stage operative right acquired from Coast Line Stages, Inc., a corporation, pursuant to Decision No. 36823, described in the foregoing opinion.

(2) That in providing service pursuant to the certificate herein granted, 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 thirty (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 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 24<sup>th</sup>  
day of October, 1944.

Richard L. ...  
Justice J. ...  
Francis L. Havenner  
Francis ...  
Francis ...  
COMMISSIONERS