

Decision No. 37477

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 necessity  
authorizing the applicant to operate as  
a common carrier for the transportation  
of persons and their baggage between the  
intersection of Bay Boulevard and Electric  
Avenue and the U.S. Naval Ordnance Depot  
all within the city of Seal Beach, as an  
extension of its present operations.

**ORIGINAL**

Application No. 26457

BY THE COMMISSION:

O P I N I O N

Long Beach Motor Bus Company, a corporation, presently provides service as a passenger stage corporation between Long Beach and Seal Beach. The termination of the route in Seal Beach is at the intersection of Bay Boulevard and Electric Avenue. In the above entitled application, applicant requests a certificate of public convenience and necessity authorizing the extension of this service from the intersection of Bay Boulevard and Electric Avenue to the United States Naval Ordnance Depot, a distance of about one mile. This extension is entirely within the city limits of Seal Beach.

The local 5-cent zone fare within Seal Beach would apply to all points on the proposed extension. The fare between points on the proposed extension and Long Beach would be the present 10-cent fare applicable between Long Beach and Seal Beach. Between 6:00 A.M. and 11:00 P.M. applicant proposes to operate a minimum of two daily round trips, and sufficient additional schedules to meet the needs of the shift changes at the Depot.

As justification for the authority sought applicant alleges as follows:

That there is at present no adequate service to the United States Naval Ordnance Depot.

That there is a definite and urgent need for the service proposed by applicant in order to provide transportation for the personnel of the United States Naval Ordnance Depot and applicant has been requested by the authorities at that installation to provide such service.

It is stated that the only other carrier operating between the points applicant proposes to serve is the Pacific Electric Railway Company. Attached to the application is a copy of a letter of Pacific Electric Railway Company stating, in effect, that it does not desire to oppose applicant's request.

Applicant's request, appearing to be in the public interest, will be granted. No public hearing is necessary.

Long Beach Motor Bus Company 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.

#### ORDER

An application therefor having been filed and it being hereby found that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Long Beach Motor Bus Company 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 the intersection of Electric Avenue and Bay Boulevard (Seal Beach), and the main administration gate of the United States Naval Ordnance Depot on Westminster Boulevard (Seal Beach) and intermediate points as an extension and enlargement of and consolidation with the certificate heretofore granted by Decision No. 33658, in Application No. 23322.

(2) That in providing service pursuant to the certificate herein granted the following service regulations shall be complied with:

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 Orders Nos. 79 and 80 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.
3. Subject to the authority of the 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:

Over and along Bay Boulevard and Westminster Boulevard between the intersection of Electric Avenue and Bay Boulevard and the main administration gate of the United States Naval Ordnance Depot.

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

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

Dated at San Francisco, California, this 21<sup>st</sup> day of November, 1944.

Justice J. Cullen  
Francis J. Havenner  
Francis J. Perry  
COMMISSIONERS