

ORIGINAL

Decision No. 37485

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
GUY C. LYONS and LAWRENCE P. COLTRA,)
copartners, doing business under the) Application No. 26354
fictitious firm name and style of)
HIGHLAND TRANSPORTATION COMPANY OF)
COMPTON, to extend service:.....)

In the Matter of the Application of)
GUY C. LYONS, doing business under)
fictitious name and style of the) Application No. 23668
HIGHLAND TRANSPORTATION COMPANY.....)

BY THE COMMISSION:

O P I N I O N

Guy C. Lyons and Lawrence P. Coltra are conducting a passenger stage service between Compton and points in the vicinity thereof in Los Angeles County. In Application No. 26354 they request the Commission to grant to them a certificate authorizing two extensions of t service. One of these extensions is from the intersection of Wilmington Avenue and West Rosecrans Avenue to the intersection of Slater Avenue and 125th Street, a distance of about 1.75 miles. This would be an extension of applicants' "Willowbrook-Atlantic Line." The second proposal is to extend the "Gibson-Langer Park Line," a distance of 0.2 of a mile, by continuing this route along Edgebrook Street from its intersection with Raybarn Street to Clark Street, thence along Clark Street to Wright Road and along Wright Road to the intersection of Raybarn Street, there connecting with the present route. In effect, this would be a rerouting of the service now conducted
(1)
over Raybarn Street.

(1) Operation over the "Gibson-Langer Park Line" was authorized by Decision No. 33561, in Application No. 23668.

As justification for the authority sought, the application states that the proposed extension of the Willowbrook-Atlantic Line would serve the needs of a residential section in the vicinity of Willowbrook in which approximately 600 homes are now located and about 400 new homes are in the course of construction; that the population in this community, which is engaged chiefly in essential war occupations, requires public transportation. It is further stated that the minor extension of the Gibson-Langer Park Line would likewise serve residents in a rapidly developing residential community, the population of which is employed chiefly in war industries. It is asserted that applicants have been requested by the officials of the city of Compton to extend service as proposed.

Applicants' present local fare of 5-cents would apply to the proposed extensions. Four schedules would be operated daily except Sundays and holidays to and from Willowbrook between 6:15 and 6:45 A.M. and thereafter on an hourly headway until approximately 11:45 P.M. Service on the extension of the Gibson-Langer Park Line would be on an hourly headway from 6:10 A.M. until 6:10 P.M., as presently provided on this line. The application states that the proposed extensions will not compete with any other common carrier.

In our judgment it appears that there is a public need for the proposed extensions and the authority requested will be granted by issuing a certificate authorizing operations between the intersection of Willowbrook Boulevard and West Rosecrans Street, and the intersection of Slater Street and 125th Street. The extension of the Gibson-Langer Park Line will be authorized by amending the description of the route defined in Decision

No. 33561, in Application No. 23668, as above referred to. No public hearing is necessary.

Guy C. Lyons and Lawrence P. Coltra are 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

An application therefor having been filed 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 Guy C. Lyons and Lawrence P. Coltra, partners, authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 2 $\frac{1}{2}$, Public Utilities Act, for the transportation of passengers between the intersection of West Rosecrans Avenue and Wilmington Avenue (Compton), and the intersection of Slater Avenue and 125th Street (Willowbrook), and intermediate points, as an extension and enlargement and consolidated with the operative right created by

Decision No. 20921, in Application No. 15492.

(2) That in providing service pursuant to the foregoing certificate applicants shall comply with the following service regulations:

1. Applicants 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. Applicants shall comply with the provisions of General Order No. 79 and Part IV of General Order 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.
3. Subject to the authority of the Commission to change or modify it by further order, applicants shall conduct operations, pursuant to the certificate herein granted, over and along the following route:

Beginning at the intersection of Wilmington Boulevard and West Rosecrans Avenue (Compton), thence along Wilmington Avenue, 126th Street, Slater Avenue, 125th Street, Blakley Avenue, to the intersection of Blakley Avenue and 126th Street.

Applicants may turn their 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.

(3) That the route described in sheet 2 of the order in Decision No. 33561, in Application No. 23668, reading as follows:

"From the intersection of Compton Boulevard and Tamarind Street, in a Northerly direction to Rosecrans Avenue, East on Rosecrans Avenue to El Segundo Street and North on El Segundo Street to McMillan Street, East on McMillan Street to Edgebrook, North on Edgebrook Street to Raybarn Street. From this point return trip is made from said intersection of Edgebrook and Raybarn Streets, West to Wright Road, South on Wright Road to McMillan Street, West on McMillan Street to Gibson Street, South on Gibson Street to Rosecrans Avenue, West on Rosecrans Avenue to Willowbrook Avenue, West of Pacific Electric Railroad Line, and South on Willowbrook Avenue to Palm Street, East on Palm Street to Tamarind Street, being the terminal."

is hereby amended to read as follows:

"Beginning at the intersection of Compton Boulevard and Tamarind Street, thence along Tamarind Street, East Rosecrans Avenue, El Segundo Street, McMillan Street, Edgebrook Street, Clark Street, Wright Road, McMillan Street, Gibson Street, East Rosecrans Avenue, Willowbrook Avenue, Palm Street and Tamarind Street to the intersection of Compton Boulevard.

"Applicants may turn their 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."

(4) That Said Decision No. 33561 shall in all other respects remain in full force and effect.

(5) That in providing service over the route of Decision No. 33561 as herein amended, applicant shall comply with the following service regulation:

Applicants 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.

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

Dated at San Francisco, California, this 21st day of November 1944.

Justus F. Coe
Francis L. Havens
Francis L. Havens

COMMISSIONERS.