

Decision No. 37990

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of PACIFIC)
GREYHOUND LINES, a corporation, for a cer-)
tificate of public convenience and necessity)
authorizing the transportation of passengers,)
baggage and express via an additional route)
between California Point Junction and Tiburon,)
in Marin County, serving all intermediate)
points, and to consolidate such operation with)
the remainder of applicant's system.)

ORIGINAL

Application
No. 26751

BY THE COMMISSION:

O P I N I O N

Applicant at present operates a local passenger stage service throughout Marin County in addition to its main line service over U.S. Highway 101. One of these local schedules operates between California Point Junction, located on U. S. Highway 101, 1.3 miles north of Tiburon Wye, and Tiburon⁽¹⁾. There is a County Road between California Point Junction and Tiburon which recently has been improved in order to make more accessible the proposed Navy Ammunition Dump located at California Point and the United States Navy Net Base and the United States Navy Floating Dry Dock northeast of Tiburon. It is proposed by applicant to operate the passenger stage service over and along this County Road for the transportation of passengers, baggage and shipments of express weighing not in excess of 100 pounds each on passenger carrying vehicles only, and also as an alternate route over and along the lateral connection between this County Road and State Highway 52.

(1) Decisions Nos. 23244, 26596, 27780 and 33254.

As justification for the proposed service applicant alleges that several United States Navy installations are located along the proposed route which require transportation service for Navy personnel and civilian workers there stationed or employed. It is proposed to coordinate this service with the existing service of applicant extending throughout the Marin County territory and to points north and south thereof.

The application proposes the operation of one schedule each way daily for the present. Fares would be based upon the company's standard fare structure. Express charges will be in accordance with applicant's tariffs now on file. There are no other passenger stage carriers authorized to operate over any portion of the route proposed by applicant.

It appearing that the proposed service will be a convenience to the public, the application will be granted. A public hearing is not necessary.

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 it having been found that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Pacific Greyhound Lines 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, baggage and shipments of express between California Point Junction and Tiburon, Marin County, over and along the County Road via the proposed Navy Ammunition Dump at California Point, and the United States Navy Net Base and United States Navy Floating Dry Dock northeast of Tiburon, serving all intermediate points; also, as an alternate route, over and along the lateral connection between said County Road and State Highway 52, said certificate to be consolidated with the remainder of applicant's system, subject to the following condition:

In the transportation of express no shipment weighing in excess of 100 pounds shall be accepted for transportation and all express shipments shall be transported on passenger carrying vehicles only.

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

Between California Point Junction and Tiburon in Marin County, over and along the County Road via the proposed Navy Ammunition Dump at California Point, and the United States Navy Net Base and United States Navy Floating Dry Dock northeast of Tiburon, serving all intermediate points; also, as an alternate route, over and along the lateral connection between said County Road and State Highway 52.

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

Dated at San Francisco, California, this 19th day of June, 1945.

Edward R. Anderson
Justice F. C. Green
Richard L. Hahn
Francis E. Carr
James H. Russell
 COMMISSIONERS