

Decision No. 38053

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
PACIFIC GREYHOUND LINES, a corporation, )  
for a certificate of public convenience )  
and necessity authorizing a passenger )  
stage service for the transportation of )  
passengers, baggage, and express between )  
San Mateo and Hayward via San Mateo Toll )  
Bridge, and to consolidate said certificate )  
with the remainder of applicant's system. )

Application No. 26680

BY THE COMMISSION:

O P I N I O N

Pacific Greyhound Lines, the applicant herein, requests a certificate of public convenience and necessity authorizing the establishment and operation of passenger stage service for the transportation of passengers, baggage and express between San Mateo and Hayward via the San Mateo Toll Bridge and Mount Eden, and for the consolidation of this operative right with the remainder of applicant's system.

In support of the application it is alleged that Camp Shoemaker, a United States Naval establishment, is located approximately 13 miles east of Hayward on U.S. Highway 50 and that there is a constant flow of traffic between this camp and points on the San Francisco peninsula in the vicinity of San Mateo. Under present circumstances this traffic moves through Oakland and San Francisco or through San Jose. The application avers that the proposed route over the bridge between Camp Shoemaker and San Mateo is 26.1 miles shorter than via San Francisco, and 29.2 miles shorter than via San Jose.

Submitted with the application is a tabulated comparison

of fares over present routes between Tracy, Livermore and Pleasanton to mid-peninsula points. As examples of this comparison, it appears that the proposed one-way fare between Livermore and San Mateo over the bridge will be 65-cents as against the present fare of 85-cents via San Francisco, and 95-cents via San Jose. The fare between Pleasanton and Redwood City over the bridge will be 71-cents as against 80-cents via San Jose, and 96-cents via San Francisco.

In some instances the fares are the same but in no case do they exceed the present rates. Passenger fares and express charges will apply to all points on applicant's system. Express charges will be in accordance with applicant's tariffs on file with the Commission.

The proposed service will not be competitive with any other carrier in the area, except as between Hayward and Mount Eden, and the order herein will prohibit applicant from rendering local service between those points.

It appears to us that the service herein proposed will, if established, result in a convenience to the traveling public. In view of the shorter mileage, saving in time, reduction in passenger and express charges and the avoiding of heavily congested traffic, the proposed operation should be authorized and the order following will so provide. There is no necessity for 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 having considered the matter,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is 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 weighing not to exceed 100 pounds each, on passenger carrying vehicles, between San Mateo and Hayward via the San Mateo Toll Bridge, said certificate to be consolidated with the remainder of applicant's system, subject to the following restriction:

No passengers, baggage or express shall be transported locally between Oakland and points intermediate to Hayward (not including Hayward), on the one hand, and Mount Eden, on the other hand, nor locally between Hayward and Mount Eden, both inclusive.

(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 it by further order, applicant shall conduct operations, pursuant to the certificate herein granted, over and along the following route:

Beginning at 3rd and Bayshore Highway in San Mateo, over the San Mateo Toll Bridge and over the direct highway via Mount Eden to Hayward.

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

Dated at Los Angeles, California, this 10<sup>th</sup>  
day of July, 1945.

David Anderson

Richard Taylor  
Francis Cowan

James H. Russell  
COMMISSIONERS