

Decision No. 38222

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
W. B. McLERAN, doing business as
McLeran Transit Co. for a certificate
of public necessity and convenience
to operate as common carrier between
Santa Monica and Inglewood (Hollywood
Race Track) California.)

ORIGINAL

Application No. 26950

BY THE COMMISSION:

O P I N I O N

This is an application of W. B. McLeran, doing business as McLeran Transit Co., for a certificate of public convenience and necessity to operate a seasonal passenger bus service between Santa Monica and Hollywood Park Race Track, near Inglewood, California.

Applicant now conducts a transportation service in the Los Angeles area of a more or less specialized nature. In this application he is seeking authority to transport passengers between the Santa Monica area and Hollywood Park who desire to attend the horse races at the latter place.

A round-trip fare of \$1 is proposed for the service, with one schedule daily. No passengers will be picked up or discharged at any intermediate point. Applicant alleges that no direct service is presently provided between the points which he proposes to serve. Pacific Electric Railway Company and Los Angeles Transit Lines do however operate schedules to the Hollywood Park Race Track via Los Angeles, but neither of these carriers oppose the granting of this application.

It appears to us that the operation herein proposed would provide a direct service to the patrons of the line and that the application should be granted. A public hearing is not required.

W. B. McLeran 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 being fully advised,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is granted to W. B. McLeran authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 24 of the Public Utilities Act, for the transportation of passengers between Santa Monica and Hollywood Park Race Track at Inglewood, California, subject to the following restrictions:

1. The authorized service shall be rendered only during such period as horse racing is conducted at Hollywood Park Race Track.
2. No passengers shall be picked up or discharged at points between Santa Monica and Hollywood Park Race Track.

(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:

Commencing at Ocean Avenue and Broadway in Santa Monica, south on Ocean Avenue to Pico Boulevard, thence to Main Street, thence to Washington Boulevard, thence to Lincoln Boulevard (Highway 101A), thence to Manchester Avenue, thence to Prairie Avenue, thence to Park entrance and return over same route in reverse.

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

Dated at San Francisco, California, this 18th day of September, 1945.

Harold Anderson
Justice J. Quimper
Richard Sachs
Francis J. ...
Charles J. ...
 COMMISSIONERS