

Decision No. 38453

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of)
PASADENA CITY LINES, INC. for)
authority to extend the operation)
of its Colorado Street motor coach)
line from its present terminus at)
Colorado Place and Huntington Drive) Application No. 26745
in the City of Arcadia to Shamrock)
and Lime Avenues in the City of)
Monrovia, over the route described)
in Section II hereof.)

COSGROVE & O'NEIL by LEONARD A. DIETHER, for applicant
J. DONALD ATKINS, for San Gabriel Valley Transit Lines,
protestant

HAROLD P. HULS, for City of Pasadena; PAUL F. GARBER,
for City of Monrovia; JAMES C. BONE, for City of
Arcadia; RONALD E. SHEETS, for Brotherhood of Railroad
Trainmen; E. J. SIMONDS, for Monrovia Chamber of Com-
merce; WILLIAM D. LIBBY, for Arcadia Chamber of Commerce;
JAMES D. BOYLE, for Pasadena Chamber of Commerce; FRANK E.
WOOD and FELECIEN LANDIER, interested parties.

BY THE COMMISSION:

O P I N I O N

Pasadena City Lines, Inc., a corporation, by this application, as amended, requests authority to establish service as a common carrier for the transportation of persons between the intersection of Colorado Place and Huntington Drive in the City of Arcadia and the intersection of Shamrock Avenue and Lime Avenue in the City of Monrovia as an extension and enlargement of its Colorado Street line.

Public hearing in this proceeding was held before Examiner Chiesa at Monrovia on October 10, 1945. The matter

having been duly submitted it is now ready for decision.

The proposed extension will afford bus transportation between Pasadena and Monrovia and intermediate points, including the City of Arcadia.⁽¹⁾

Applicant's proposed route will extend easterly from the present terminus at the intersection of Colorado Place and Huntington Drive, along Huntington Drive, 1st Avenue, Colorado Boulevard, 5th Avenue, Foothill Boulevard, Shamrock Avenue, Lime Avenue, Myrtle Avenue to its intersection with Foothill Boulevard. This is an extension of approximately four miles.

Applicant proposes to establish four 5-cent fare zones. The fare-break points will be the intersections of Colorado Street and Rosemead Boulevard, Colorado Street and Old Ranch Road, and 5th Avenue and Foothill Boulevard. One-way fare between Pasadena and Monrovia will be 20 cents. Applicant will charge one cent for transfer to any of its Pasadena lines except to points south of Burleigh Drive and Avenue 54. Special fares of five cents and 10 cents to school children and school teachers, respectively, will be offered when traveling to and from the Union High School.⁽²⁾

Applicant proposes to establish schedules on a half hourly basis in the morning and evening periods and hourly during midday. No service will be offered on Sundays and holidays between Monrovia and Arcadia. The total elapsed time, one way,

(1) By amended application filed November 7, 1945, and agreement between applicant and Pacific Electric Railway Company, the only competing carrier along the proposed route, the restrictions against local traffic in Arcadia and between Arcadia and Monrovia were eliminated.

(2) The school fares apply from any point east of the intersection of Rosemead Boulevard and Colorado Street to and from the Monrovia, Arcadia, and Duarte Union High School.

between termini will be 45 minutes. The distance is approximately seven miles.

Applicant is now using 36-passenger General Motors Coaches on its Colorado Street line and will have available sufficient similar type equipment to take care of the additional traffic.⁽³⁾

In addition to the above evidential data, numerous witnesses, several of whom represented leading civic organizations, testified that the proposed service is necessary and would be convenient and useful. No other carrier renders a service similar to that which is herein proposed. There were no carrier protests.

J. Donald Atkins protested on the grounds that he, as president of San Gabriel Valley Transit Lines, a newly formed California corporation, was about to file an application with this Commission "covering a comprehensive service for the San Gabriel Valley, including a line to Monrovia", from Pasadena. He requests that the decision in this proceeding be withheld until after a hearing has been held on his company's application. Neither Atkins nor his corporation is presently operating as a "passenger stage corporation" in this state. Applicant herein has been rendering a satisfactory transportation service in Pasadena and vicinity for a considerable period. The application of Pasadena City Lines, Inc. was filed on May 21, 1945. On the other hand, neither protestant Atkins nor San Gabriel Valley Transit Lines had on file, as of the date of this hearing, an application upon which this Commission could act.

(3) Applicant's general manager testified that he has estimated an increase in gross revenue, resulting from the operation of the proposed extension, of \$51,000, and an increased annual operating expense of \$44,878.

Applicant, an established operator in this area, requesting an extension of one of its present lines, having presented evidence in support of its application at a hearing duly and regularly held, and protestant, a noncarrier and participant at said hearing, having offered no evidence justifying his request, a delay of our judgment in this proceeding would not be in the public interest.

Having considered the application and the proceedings herein, we are of the opinion and find that public convenience and necessity require the establishment of the proposed service. The application will be granted with the exception of applicants' proposal to offer a reduced fare to school teachers. This is a deviation from a long established practice and not sufficient showing was made to justify a departure therefrom.

Pasadena City Lines, Inc. 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 re-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

Public hearing having been held in the above-entitled proceeding, the Commission being fully advised, and it having been found that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be, and it hereby is, granted to Pasadena City Lines, Inc., a

California corporation, authorizing it to establish and operate a service as a "passenger stage corporation", as defined in Section 2½ of the Public Utilities Act, for the transportation of persons between the intersection of Colorado Place and Huntington Drive, in the City of Arcadia, and the City of Monrovia, and intermediate points, as an extension and enlargement of the operative right acquired under authority of Decision No. 36271.

(2) That in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

- (a) 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.
- (b) That applicant herein 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.
- (c) Subject to the authority of this Commission to change or modify the route at any time by further order, applicant shall conduct operations over and along the following streets, highways, or routes:

Beginning at the intersection of Colorado Place and Huntington Drive in the City of Arcadia, thence along Huntington Drive, 1st Avenue, Colorado Boulevard, 5th Avenue, Foothill Boulevard, Shamrock Avenue, Lime Avenue, Myrtle Avenue to its intersection with Foothill Boulevard.

Applicant is authorized to turn its motor vehicles at termini or intermediate points by operating around a block in either direction, contiguous to such intersection or in accordance with local traffic rules.

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

Dated at San Francisco, California, this 27th day of November 1945.

David Calver
Justus F. Granger
James D. King
Earl H. Kuehl

COMMISSIONERS