

Decision No. 38539

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 D. B. MAURICE, doing business as
 SUNSET STAGES, to alter and extend
 existing service and for Certificate
 of Public Convenience and Necessity
 to operate passenger service as a
 common carrier within the County of
 Los Angeles.

ORIGINAL

Application No. 27085

BY THE COMMISSION:

O P I N I O N

Applicant presently operates as a "passenger stage corporation" under authority heretofore granted by this Commission between Redondo Beach, Hermosa Beach, Manhattan Beach, Lawndale, Hawthorne and Inglewood.⁽¹⁾

Applicant now seeks authority to extend and enlarge his present service between Redondo and Inglewood by establishing an additional route between the intersection of Aviation Boulevard (formerly Dewey Avenue) and Redondo Beach Boulevard, thence along Aviation Boulevard, Robinson Street, Aviation Boulevard, Manhattan Beach Boulevard to its intersection with Hawthorne Boulevard.

Applicant is the only carrier serving this area. The application was filed to meet the needs of numerous residents of North Redondo Heights who are now without public transportation between their homes, the beach communities and Inglewood.

(1) See Decision No. 25178 dated September 14, 1932, for summary description of operative rights previously authorized; and Decisions Nos. 34708 and 35947 for rights subsequently granted.

The proposed extension will serve this new residential section of several hundred homes. The City of Redondo, having urged applicant to provide the transportation, favors the establishment of the proposed service.

Applicant states the following conditions exist, which are relied upon as justification for the granting of a certificate of public convenience and necessity.

"That during the past two or three years, large numbers of new dwellings have been erected and constructed in that portion of the City of Redondo Beach commonly designated as North Redondo Heights, all of which dwellings are occupied by persons having employment and businesses at considerable distances from their homes; that the lack of transportation facilities being suffered by the citizens of said portion of Redondo Beach has developed into a serious situation, with the result that the same has been...called to the attention of the City Council of the city of Redondo Beach: with the result that said City Council recently advised applicant of its sympathy with the residents of said North Redondo Heights and urged applicant to take immediate action to meet said situation."

Applicant proposes an hourly schedule between the terminus in Redondo Beach and the intersection of Manhattan Beach and Hawthorne Boulevards. The fares will be the same as on his present Redondo Beach to Inglewood line. A fare break point on the new route will be established at the intersection of Aviation and Manhattan Beach Boulevards. Applicant will use his present equipment.

There was no protest to this application.

Full consideration having been given this matter, we are of the opinion that the service is required to meet an urgent public need and therefore the application will be granted. A public hearing is not necessary.

D. B. Maurice 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 in the above-entitled matter, and the Commission being fully advised and finding that public convenience and necessity so require,

IT IS ORDERED as follows:

(1) That a certificate of public convenience and necessity be and it is hereby granted to D. B. Maurice, an individual, doing business as Sunset Stages, authorizing the establishment and operation of a service as a "passenger stage corporation", as defined by Section 2½ of the Public Utilities Act, between the intersection of Aviation Boulevard and Redondo Beach Boulevard and the intersection of Manhattan Beach and Hawthorne Boulevards, as an extension of and to be consolidated with the passenger stage operations now conducted by said D. B. Maurice.

(2) That in the operation of said passenger stage service, applicant shall comply with and observe the following service regulations:

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, within sixty (60) days from the effective date hereof and upon not less than one (1) day's notice to the Commission and the public, establish the service herein

authorized and 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, tariffs and time schedules satisfactory to the Commission.

- 3. Subject to the authority of this Commission to change or modify it at any time by further order, applicant shall conduct said passenger stage operations over and along the following route:

Beginning at the intersection of Aviation and Redondo Beach Boulevards, thence along Aviation Boulevard, Robinson Street, Aviation Boulevard, Manhattan Beach Boulevard to its intersection with Hawthorne Boulevard; also beginning at the intersection of Manhattan Beach Boulevard and Johnson Avenue, thence along Johnson Avenue to its intersection with Dow Avenue.

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

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

Dated at Los Angeles, California, this 18th day of December, 1945.

Harold Culver
Justin J. Carver
James O. Carr
Leslie Powell
Harold A. Hull

CERTIFIED AS A TRUE COPY

Secretary, Railroad Commission
of the State of California