

Decision No. 38622

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
P. B. HACKLEY, JR., and CHARMIAN R.)
WARD, doing business as a copartnership)
under the name and style of NAPA BUS)
LINES for a certificate of public con-)
venience and necessity for the transpor-)
tation of passengers by bus between the)
city of Napa, Live Oak Park, Westwood)
Addition, Napa County Infirmary, Napa)
State Hospital, and Shipyard Acres.)

ORIGINAL

Application No. 26499

O P I N I O N

P. B. Hackley, Jr., and Charmian R. Ward are copartners, doing business under the name of Napa Bus Lines, and operating wholly within the city of Napa. In this application, as amended, they are requesting a certificate of public convenience and necessity to extend their service beyond the city limits.

Applicants operate over six routes, reaching different parts of the city from a central location at First and Main Streets.. It is proposed to extend two of these routes outside the city, to wit: Alta Heights Line and Randolph Street Line. The Alta extension covers a distance of approximately five blocks and the Randolph six blocks.

Hourly service is provided over each route from 7:00 a.m. to 11:00 p.m., the fare being ten cents with free transfer privileges between all routes. Applicants allege that they have ample equipment and are prepared to increase the service to a half-hour headway over any or all of the routes in the event it becomes necessary to take care of the additional traffic. At present there are lay-overs at the termini of the Alta and Randolph routes sufficient to permit the extended service without substantial added expense or interference

with present schedules.

Applicants state that the proposed service would offer transportation to an estimated 1,746 potential bus-riders, from 388 dwellings, all fully tenanted, which should attract approximately 175 bus-riders daily to the new service.

Attached to the application is an operating statement showing that during the period October 2, 1945, to November 30, 1945, applicants operated at a loss of \$943.01. They venture the opinion that the extension of their lines as herein proposed would develop sufficient business to substantially improve their financial position.

It is alleged by applicants that no other bus line or common carrier provides local service along the routes proposed to be served.

We have given due consideration to this matter and conclude that the public interest will be served by the establishment of the proposed service, and that a certificate of public convenience and necessity authorizing such service should be granted to applicant. No public hearing is necessary.

P. B. Hackley, Jr., and Charmian R. Ward are 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 in the matter,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to P. B. Hackley, Jr., and Charmian R. Ward 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 between points within the city of Napa, and between Napa and the extensions known as Alta Heights and Randolph Street, and intermediate points, as more particularly described in service regulation 3 of this order.

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

1. Applicants 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. Applicants 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 tables 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 this Commission to change or modify them by further order, applicants shall conduct operations, pursuant to the certificate herein granted, over and along the following routes:

FAIRVIEW TERRACE LINE. From First and Main Streets via Main Street, Third Street, Silverado Trail South, and Fairview Drive to Hoffman Avenue, and return to First and Main Streets over the same route.

ALTA HEIGHTS LINE. From First and Main Streets, via First Street, East Avenue, and Spring Avenue to Maxwell Avenue, and return to First and Main Streets over the same route.

WESTWOOD LINE. From First and Main Streets via First Street, Randolph Street, Third Street, Jefferson Street, Laurel Street, Kilburn Avenue, Laurel Avenue, Avon Avenue, Orchard Avenue, Archer Avenue, Bryan Avenue, DeWitt Avenue, Kilburn Avenue and Foothill Boulevard to Browns Valley Road, and return to First and Main Streets over the same route.

MAIN STREET LINE. From First and Main Streets via Main Street, Pueblo Avenue and Jefferson Street to George Street (High School entrance), and return to First and Main Streets via Jefferson Street, Lincoln Avenue and Main Street.

HIGH SCHOOL LINE. From First and Main Streets, via First Street, Jefferson Street, Lincoln Avenue, Pacific Street, Central Avenue, Sonoma Street, Park Avenue and Solano Avenue, to West Park Avenue, and return to First and Main Streets over the same route.

RANDOLPH STREET LINE. From First and Main Streets, via Main Street, Third Street, Randolph Street, Ash Street and Franklin Street, Spruce Street, Seymour Street and Sonoma Road to Sonoma Highway, and return to First and Main Streets over the same route.

Applicants may turn their motor vehicles at termini or intermediate points either in the intersection of the street, or by operating around a block, in either direction, contiguous to such intersection.

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

Dated at San Francisco, California, January 27, 1946.

Richard L. Baker
Arthur J. Coleman
Ernest W. Clark
Jack H. Kinsell
Harold P. Hull
COMMISSIONERS