

Decision No. 38900

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the Matter of the Application of)
WILLIAM A. PERKINS and DORUS O. MYERS,)
copartners, for a certificate of)
public convenience and necessity to)
operate a passenger stage service, as)
a common carrier; within Mountain View)
also between Mountain View, Moffett)
Field Air Base, Loyola and the area)
adjacent thereto.)

Application No. 27266

O P I N I O N

William A. Perkins and Dorus O. Myers, partners, doing business as Mountain View Transit, request a certificate of public convenience and necessity authorizing the establishment and operation of a passenger stage service within and between Mountain View, Moffett Field Air Base, Loyola and intermediate points over three different routes. By an amendment to the application, applicants withdrew their proposal to provide local service along Fremont Avenue between its intersections with Springer Road and Grant Road.

Applicants propose a cash fare of 10 cents for adults and 5 cents for children aged 5 years to 12 years. Children under 5 years will be transported without charge when accompanied by a fare paying passenger. Service would be operated daily except Sundays and holidays between the approximate hours of 6 a.m. and 7 p.m. Six schedules would operate locally within Mountain View. Nine schedules would operate within Mountain View and between Mountain View and Moffett Field Air Base. Three schedules would operate between Mountain View and Loyola and provide some local service within Mountain View. The application states that service

would be provided initially by the use of one 1944 Ford transit type bus having a seating capacity of 29 passengers. Additional equipment would be added to meet public requirements. According to a financial statement attached to the application as Exhibit "C" the net worth of applicants is \$5,150.

As justification for the authority sought the application states:

That residents of Mountain View do not now have available any common carrier transportation facility providing a service within the corporate limits of the city; that they have no such service between Mountain View and Moffett Field Naval Air Base; that civilian employees and enlisted personnel of the Moffett Field Air Base are in need of the proposed service not only for the purpose of travel between Mountain View and the air base but also to facilitate their travel beyond Mountain View via the Pacific Greyhound Lines' busses travelling along El Camino Real (Highway U. S. No. 101) and via the Southern Pacific Company's trains arriving and departing from the depot at Front and Castro Streets; that in recognition of the need for service to and from the air base.....applicants have been requested, by the air base personnel officer to operate over a designated route within the air base.....; that residents of the housing project west of and immediately adjoining the Moffett Field Air Base do not now have, although they are in need of, a public transportation service, such as here proposed, in order to avail themselves of the educational, shipping and recreational facilities in Mountain View; that residents of Loyola, south of Mountain View are also in need of the proposed service....

Southern Pacific Company, Pacific Greyhound Lines and Floyd B. Pearson, doing business as Palo Alto Transit, which comprise the local carriers in the area involved, have each filed with the Commission written waivers of protest to the granting of the application as amended.

The Commission has fully considered applicants' request and is of the opinion and so finds that public convenience and necessity require the proposed operation and the application will

be granted. No public hearing is necessary.

William A. Perkins and Dorus O. Myers 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

An application therefor having been made, the Commission being fully informed therein and it having been found that public convenience and necessity so require,

IT IS ORDERED:

- (1) That a certificate of public convenience and necessity is hereby granted to William A. Perkins and Dorus O. Myers 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 within and between Mountain View, Moffett Field, Loyola and intermediate points subject to the restriction that no passengers shall be transported locally along Fremont Avenue between its intersection with Springer Road and its intersection with Grant Road.
- (2) That in providing service pursuant to the certificate herein granted, applicants shall comply with the following service regulations:

- (a) Applicants shall file a written acceptance of the certificate herein granted within a period of not to exceed 30 days from the effective date hereof.
- (b) Within 60 days from the effective date hereof and on not less than 5 days' notice to the Commission and the public, applicants shall 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 appropriate tariffs and time tables.
- (c) 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:

ROUTE "A" - City Route:

Commencing at Front and Castro Streets (S. P. Depot) in Mountain View; thence via Castro Street, Dana Street, Pettis Avenue, Villa Street, Mariposa Avenue, Latham Street, Bailey Avenue, Church Street, Bush Street, El Camino Real, Castro Street to Front Street.

ROUTE "B" - Moffett Field Route:

Commencing at Front and Castro Streets (S. P. Depot) in Mountain View; thence via Castro Street, Moffett Boulevard, Stevens Road, Orange Avenue and Vernon Avenue to Moffett Boulevard.

ROUTE "C" - Loyola Route:

Commencing at Castro Street and El Camino Real in Mountain View; thence via El Camino Real, Springer Road, Fremont Avenue, Grant Road, El Camino Real, Alviso-Mountain View Road, Church Street, Bush Street and El Camino Real to Castro Street.

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 20 days from the date hereof.

Dated at San Francisco, California, this 2nd day of May, 1946.

Charles G. ...
Justin F. ...
Frank ...
James ...

COMMISSIONERS