

Decision No. 38905

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
PACIFIC GREYHOUND LINES, a corporation, )  
for a certificate of public convenience )  
and necessity to operate a passenger )  
stage service between Walnut Creek and )  
Danville, via State Highway No. 21, and )  
to consolidate such certificate with the )  
remainder of applicant's system. )

Application No. 27365

O P I N I O N

In the above entitled application Pacific Greyhound Lines requests the Commission to grant to it a certificate authorizing the transportation of passengers, baggage and shipments of express weighing not in excess of 100 pounds each between Danville and Walnut Creek and intermediate points via Alamo over State Highway No. 21. At Walnut Creek the proposed service would connect with applicant's operation between Walnut Creek and San Francisco and other points served on its system.

The local passenger fares would be computed in accordance with applicant's standard fare base as filed with the Commission. Individual calendar month commutation fares would be established between the points proposed to be served and San Francisco, Oakland and Berkeley. The express charges would be in accordance with applicant's Local Interdivision and Joint Express Tariff No. Z-14, C.R.C. No. 1, on file with this Commission. At the outset, applicant proposes to establish only one daily round-trip schedule.

In support of applicant's request the application states:

Bus service was previously provided between Danville, Walnut Creek and intermediate points but did not prove

compensatory and the operators were forced to discontinue the service. A recent survey indicates there has been some growth in the territory since the abandonment of bus service; however, potential traffic, even at this time; does not indicate that a complete service can be operated on a paying basis.

No public carrier presently provides a passenger stage service between the points involved. After full consideration of applicant's request, it appears that there is a public need for the proposed operation and a certificate therefor will be granted. No public hearing is necessary.

Pacific Greyhound Lines 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

An application therefor having been filed and good cause appearing:

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Pacific Greyhound Lines authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 2½ of the Public Utilities Act,

for the transportation of passengers, baggage and shipments of express weighing not in excess of 100 pounds each on passenger carrying vehicles between Walnut Creek and Danville and intermediate points, via Alamo, as an extension of and consolidated with the operative right created by Decision No. 23244.

(2) That in providing service pursuant to the foregoing certificate, 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 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, applicant shall establish the service herein authorized and comply with the provisions of General Orders Nos. 79 and 80, and Part IV of General Order No. 93-A by filing, in triplicate, and concurrently making effective appropriate tariffs and time tables.
- (c) That in providing service pursuant to the certificate herein granted, applicant shall operate over and along State Highway No. 21 between Walnut Creek and Danville.

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.

David Anderson  
Justin F. Casseus  
Francis [unclear]  
[unclear]

COMMISSIONERS