

Decision No 39485

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
DELANO BUS LINE for a certificate of)
public convenience and necessity, to)
establish a new "Passenger Stage" line)
to be known as Delano Bus Line, from)
4th Avenue and Ellington Street to the)
Delano High School Section, Greenacres)
Subdivision in the City of Delano and)
the Sierra Vista Ranch adjacent to the)
City of Delano.)

ORIGINAL

Application No. 27832

O P I N I O N

In the above-entitled application Lloyd B. Mast, doing business as Delano Bus Line, requests a certificate to establish a passenger stage service within Delano and between Delano and Greenacres Subdivision and Sierra Vista Ranch and intermediate points. Sierra Vista Ranch is approximately 6 miles northeasterly from the town of Delano, Greenacres Subdivision being an intermediate point.

It is proposed to operate 12 daily schedules except Sundays and holidays between the approximate hours of 6:00 a.m. and 11:00 p.m. On Sundays and Holidays 8 schedules would be operated between 9:00 a.m. and 10:00 p.m. The proposed one-way fares between the central portion of the town of Delano and Greenacres and Sierra Vista Ranch are 10¢ and 20¢ respectively. Other proposed fares are in proportion. It is asserted that applicant has available from the United States War Assets Administration one 1943 Dodge Passenger Stage of 29-seated passenger capacity with which the service would be inaugurated. According to a financial statement attached to the application, applicant has a net worth in excess of \$10,000.

As justification for the authority sought the application

states that the population of the town of Delano is about 6,000; that there are in excess of 2,000 persons residing along the route proposed to be served outside the city limits of Delano, all of whom are without public transportation and that applicant has received numerous petitions and requests from the residents of these districts and others to establish the proposed service.

After careful consideration the Commission is of the opinion that no public hearing is necessary in this matter and that there is a public need for the service proposed by applicant which should be authorized. Such will be the order.

Lloyd B. Mast 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 therefore having been filed and it being found that public convenience and necessity so require .

IT IS ORDERED AS FOLLOWS:

(1) That a certificate of public convenience and necessity is hereby granted to Lloyd B. Mast 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 between Delano, Greenacres,

Sierra Vista Ranch and the junction of Wallace Road and Olive Camp Road and intermediate points.

(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 not to exceed 30 days from the effective date hereof.
- b. Applicant 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 60 days from the effective date hereof and on not less than 1 day's notice to the Commission and the public.
- c. Subject to the authority of the Commission to change or modify them, applicant shall conduct passenger stage operations herein authorized over and along the following described routes:

Beginning at the intersection of 4th Avenue and Ellington Street (Delano) thence along 4th Avenue, Glenwood Street, 11th Avenue, Main Street, Cecil Avenue, Norwalk Street, 20th Street, Princeton Street, to its junction with County Line Road.

Beginning at the intersection of County Line Road and Norwalk Street thence along County Line Road, Zachary Road, Foreman's Road, Camp I Road, Italian Camp Road, Camp 4A Road, Olive Camp Road to its junction with Wallace Road.

Beginning at the junction of 4th Avenue and Ellington Street thence along Ellington Street, 6th Avenue, Fremont Street, 9th Avenue to its junction with Greenwood Street. Beginning at the junction of 11th Avenue and Main Street thence along 11th Avenue and Jefferson Street to its junction with Cecil Avenue.

Applicant may turn his 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.

This order shall be effective on the date hereof.

Dated at San Francisco, California, this 8th
day of October, 1946.

Harold P. Hull
Justus F. Coe
Francis D. Gunn
Wm. H. Sweeney
W. J. [unclear]
COMMISSIONERS