

Decision No. 39591

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of HARBOR TRANSIT for certificate of public convenience and necessity to operate a passenger automotive bus service as a common carrier between Oxnard and Point Mugu, and Port Hueneme and Point Mugu, and intermediate points between Oxnard and Point Mugu, and Port Hueneme and Point Mugu, California.

ORIGINAL

Application No. 27864

O P I N I O N

Applicant Harbor Transit Company operates a passenger stage service between Oxnard and Hollywood Beach and intermediate points, and in this application requests a certificate authorizing the extension of that service between Oxnard and Point Mugu and between Oxnard and Point Mugu, via Port Hueneme, including intermediate points.

Point Mugu is located 10.5 miles southeast of Oxnard and Port Hueneme is 5.8 miles south of Oxnard. The distance between Oxnard and Point Mugu via Port Hueneme is shown to be 13.3 miles.

The application sets forth that there has recently been established at Point Mugu a United States Naval Air Facility for the conduct of certain experimental tests. Several hundred civilians and a considerable navy personnel are employed at the Air Facility, so it is alleged. Many of these employees live at Oxnard and Port Hueneme and require public transportation which coordinates with their working hours. Such a service is not now provided.

Applicant proposes to charge a one-way fare of 20 cents between Oxnard and Point Mugu by way of either U.S. highway 101 or via Port Hueneme and 15 cents between Oxnard and Port Hueneme. Four

schedules will be operated daily, two directly between Oxnard and Point Mugu and two via Port Hueneme. Applicant's equipment consists of two 41-passenger buses.

Pacific Greyhound Lines conduct a passenger service along U. S. Highway No. 101 between Oxnard and Point Mugu. This carrier has advised the Commission that it does not desire to oppose the granting of the application. The proposed service is favored by the Commanding Officer of the Air Facility at Point Mugu, who states in a letter to the Commission that the need for the proposed service is urgent.

It appears that the service proposed will meet a public need. The application will be granted. A public hearing does not appear to be necessary.

Harbor Transit Company 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 having been made as above entitled and the Commission being fully advised in the matter,

IT IS ORDERED as follows:

(1) That a certificate of public convenience and necessity be and it hereby is granted to Harbor Transit Company, 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 Oxnard and Point Mugu and between Oxnard and Port Hueneme 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 of 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 this Commission to change or modify it by further order, applicant shall conduct operations pursuant to said certificate over and along the following route:

Beginning at Fourth and A Streets (Time Point)  
Oxnard, thence along A Street to Fifth Street,  
thence along Fifth Street to Ventura Road, thence  
along Ventura Road to Pleasant Valley Road, thence  
along Pleasant Valley Road to San Pedro Street,  
thence along San Pedro Street to Main Street, thence  
along Main Street to Market Street, thence along  
Market Street to Hueneme Road, thence along  
Hueneme Road, to 101 Alternate Highway, thence  
along 101 Alternate Highway to Main Gate, Point  
Mugu.

Beginning at Fourth and A Streets (Time Point)  
Oxnard, thence along A Street to Fifth Street, thence  
along Fifth Street to Ventura Road, thence along  
Ventura Road to Wooley Road, thence along Wooley  
Road to 101 Alternate Highway, thence along 101  
Alternate Highway to Main Gate, Point Mugu.

Applicant may turn its 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, this 14<sup>th</sup> day of November, 1946.

Harold P. Kula  
Justice F. Cassese  
George A. P...  
W. H. Powell  
A. J. ...  
COMMISSIONERS