

Decision No. 39511

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of WILLIAM TAYLOR ALWARD for a certificate of public convenience and necessity, authorizing the transportation of passengers between Redding, on the one hand, and Oak Grove, Benton Tract and Enterprise on the other hand, and to consolidate such operations with his operation of a city bus line within the city limits of the city of Redding.

Application No. 27882

O P I N I O N

The above entitled application states that W. T. Alward presently provides an automotive service for the transportation of passengers within the city of Redding. He now requests the Commission to issue to him a certificate between Redding, Oak Grove, Enterprise and the Benton Tract and intermediate points. Each of these communities is situated outside of but within approximately three miles of the city of Redding.

Applicant proposes a one-way adult cash fare of 10 cents. Children under 12 years of age and students would be transported at one-half the adult fare. Hourly service would be provided between approximately 8:45 a.m. and 10 p.m. daily except Sundays. Five round trip schedules would be provided on Sundays at two-hour intervals, beginning at 5:30 a.m. Applicant has three units of passenger stage equipment which would be used in providing the proposed service.

Other passenger stage operators in the area involved waive protest to the application. After full consideration of applicant's request, it is our judgment that a public hearing in this matter is not necessary and that public convenience and necessity require the establishment and operation of the proposed service. Accordingly, the application will be granted.

W. T. Alward 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 made 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 W. T. Alward 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 Redding, Oak Grove, Enterprise and Benton Tract 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. 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 Order No. 79 by filing, in triplicate and concurrently making effective appropriate tariffs.
- c. Subject to the authority of this Commission to change or modify them by further order, applicant shall conduct operations pursuant to the certificate herein granted over and along the following streets, roads and highways:
 1. Beginning at the intersection of Market and Yuba Streets (Redding), thence south along Market Street and U. S. Highway No. 99 to Oak Grove.
 2. Beginning at the intersection of Market and Yuba Streets (Redding) thence north on Market Street and U. S. Highway No. 99 to the junction of Old U. S. Highway No. 99, thence along Old U. S. Highway No. 99 and Benton Tract Road to its junction with U. S. Highway No. 99.
 3. Beginning at the intersection of Fell Street and U. S. Highway No. 99, thence along Fell Street, Leland Avenue, Parkview Avenue, California Highway No. 44, Bechelli Road, County Road No. 44-D, California Highway No. 44, to its junction with Bechelli Road.
 4. Beginning at the intersection of Market and Yuba Streets (Redding) thence along Yuba Street, West Street, Butte Street, Olive Avenue, Eureka Way, Magnolia Avenue, 9th Street, Lakeview Drive, 7th Street, West Street, Eureka Way to its intersection with Market Street.
 5. Beginning at the intersection of Market and Yuba Streets (Redding), thence along Market Street, Placer Street, San Francisco Avenue, Igo Road, Division Street to its intersection with Placer Street. Along Railroad Avenue between Placer Street and Yuba Street.
 6. Beginning at the intersection of Yuba and Court Streets thence along Court Street, Sheridan Street, Railroad Avenue to the intersection of Laurel Avenue. Along Railroad Avenue and Schley Avenue between Sheridan Street and Court Street.

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.

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

Dated at San Francisco, California, this 4th day of November, 1946.

Harold F. Huls
Justice F. Calceen
Howard B. Davis
Earl Paul
A. J. [unclear]
 COMMISSIONERS