

Decision No. 40379**ORIGINAL**

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of EMIL GUY SPADONI for a certifi- )  
cate of public convenience and )  
necessity to operate a bus service, ) Application No. 28391  
as a common carrier, between Park )  
Arms Hotel, Elsinore, California, and )  
Grand Avenue and Corydon, Lake Elsinore, )  
Riverside County, California. )

C O N C L U S I O N

Applicant seeks authority to establish a "passenger stage" service in the City of Elsinore and vicinity by operating a route of approximately ten miles around the northerly, easterly, and southerly sides of Lake Elsinore<sup>(1)</sup>.

It is proposed to establish four fare zones; a ten-cent zone within and between the city and the intersection of Graham Avenue and Riverside Street, a five-cent zone from the latter point to the intersection of Ortega Highway and Grand Avenue, another five-cent zone to Baldwin Avenue, and the last zone, also five cents, to the end of the line at Corydon Road and Grand Avenue.

Schedules will be operated hourly in each direction; 7:00 a.m. to 12:10 a.m. outbound and 7:30 a.m. to 12:30 a.m. inbound.

(1) A similar operative right had been granted to Frank L. De Wolf and George S. Bone (Decision No. 38330) but was recently revoked because of unauthorized abandonment.

Applicant proposes to use two 16-passenger, pusher-type Fords or Chevrolets which, he states, will conform, in all respects, with the regulations as prescribed by this Commission.

Elsinore has a population in excess of 2,000. In addition, there are many residences and a military academy around the lake along the proposed route. There is no public transportation available. The proposed service would be convenient and is necessary to enable the public to get back and forth from the shopping and business area and places of recreation.

No estimates of operating income and expenses were submitted but applicant believes the service can be operated on a compensatory basis. The proposed service has been recommended by the City of Elsinore, two local business associations, the Chamber of Commerce, and a local bank.

This proposed operation is not competitive with any existing passenger stage service.

Having fully considered this matter, we find that public convenience and necessity require the establishment and operation of a passenger stage service as proposed. The application will be granted. A public hearing is not necessary.

Emil Guy Spadoni 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 it having been found that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be, and it hereby is, granted to Emil Guy Spadoni, authorizing the establishment and operation of a service as a passenger stage corporation, as defined in Section 2 $\frac{1}{2}$  of the Public Utilities Act, for the transportation of persons between Elsinore and the intersection of Grand Avenue and Corydon Road, and intermediate points.

(2) That in providing service pursuant to the certificate herein granted, the following service regulations shall be complied with:

- (a) Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the effective date hereof.
- (b) Applicant shall, within sixty (60) days from the effective date hereof and upon not less than one (1) day's notice to the Commission and the public, 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, tariffs and time schedules satisfactory to the Commission.

- (c) Subject to the authority of this Commission to change or modify such at any time, Emil Guy Spadoni shall conduct said passenger stage operation over and along the following described route:

Beginning at the Park Arms Hotel in the City of Elsinore, thence along Main Street, Graham Avenue, Riverside Street, Grand Avenue to its intersection with Corydon Road.

Applicant is authorized to turn his motor vehicles at termini and intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersection, or in accordance with local traffic rules.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco California, this 10<sup>th</sup> day of June, 1947.

Harold T. Kelly  
Justin J. Calver  
Ernest K. Kille  
A. J. Morrison  
Kenneth Potter  
 COMMISSIONERS