

Decision No. 40584

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 VINCENT A. FISCHER, doing business as )  
 MADERA BUS LINES, for a certificate )  
 of public convenience and necessity ) Application No. 28567  
 to operate a passenger stage service )  
 as a common carrier between the City )  
 of Madera, California, and vicinity. )

O P I N I O N

Vincent A. Fischer, doing business as Madera Bus Lines, files this application for a certificate of public convenience and necessity authorizing the operation of a passenger stage service between the City of Madera and certain named points outside of said city.

Applicant presently operates a bus line within the City of Madera, and by his application proposes to extend his operations a short distance beyond the city limits to four districts, to wit: Madera County Hospital, Midvale, Millview and the Madera County Fair Grounds. The point of origin for all schedules is at East Yosemite and D Streets and it is proposed to operate buses on each route on an hourly schedule. A fare of 10 cents will be charged for adult passengers with transfers from any one proposed route to any other such route.

For the proposed service applicant has available one K 5 International bus, and two 1942 Chevrolet buses, each of 29-passenger capacity.

It is claimed by applicant that the adjacent territory outside the city is growing rapidly in population, that there

exists no means of transportation for residents of these districts other than taxicabs and private automobiles, and that there is urgent need for the service proposed.

It appears that the public interest will be served by the establishment of the service proposed and the application will be granted. A public hearing is not required.

Vincent A. Fischer 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

Application having been made as above entitled and the Commission being fully advised,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Vincent A. Fischer 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 and their baggage, on passenger carrying vehicles only, between the intersection of East Yosemite

and D Streets in the City of Madera, and the following points:  
Madera County Hospital, Midvale, Millview and the Madera County  
Fair Grounds.

(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 and Part IV  
of General Order No. 93-A, by filing in triplicate,  
and concurrently making effective, appropriate  
tariffs and time tables.
- 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 routes:

Route 1

Beginning at East Yosemite and D Streets, east  
on East Yosemite to A Street, thence south on  
A Street to the city limits and County Road No.  
14½, thence east on County Road No. 14½ to  
County Road No. 28, thence south on County Road  
No. 28 to County Hospital, thence north from  
County Hospital on County Road No. 28 to Sunrise  
Avenue, thence west on Sunrise Avenue to Vineyard  
Avenue, thence in a northwesterly direction on  
Vineyard Avenue to Clinton Street, thence in a  
northeasterly direction on Clinton Street to  
Elm Avenue, thence in a northwesterly direction  
on Elm Avenue to East Yosemite Avenue, thence  
west on East Yosemite Avenue to D. Street (point  
of beginning).

Route 2

Beginning at East Yosemite and D Streets, north  
on D Street to Riverside Drive, thence west on  
Riverside Drive to Madera Street, thence north on  
Madera Street to Cleveland Avenue, thence east  
on Cleveland Avenue to D Street, thence south on  
D Street to Lincoln Street, thence east on Lincoln  
Street to North Lake Street, thence north on North

Lake Street to Cleveland Avenue, thence east on Cleveland Avenue to Merced Street, thence south on Merced Street to Dalton Avenue, thence west on Dalton Avenue to North Lake Street, thence south on North Lake Street to Central Avenue and Lake Street, thence south on Lake Street to East Yosemite Avenue, thence west on East Yosemite Avenue to D Street (point of beginning).

Route 3

Beginning at East Yosemite and D Streets, west on Yosemite to F Street, thence south on F Street to Seventh Street, thence in a southwesterly direction on Seventh Street to L Street, thence south on L Street to Olive Avenue, thence east on Olive Avenue to Fourteenth Street, thence in a northeasterly direction on Fourteenth Street to C Street, thence north on C Street to East Yosemite, thence west on East Yosemite Avenue to D Street (point of beginning).

Route 4

Beginning at East Yosemite and D Streets, west on East Yosemite to K Street, thence south on K Street to Sixth Street, thence in a southwesterly direction on Sixth Street to Olive Avenue, thence west on Olive Avenue to Road No. 14 to Amerine Avenue, thence north on Amerine Avenue to Fourth Street, thence east on Fourth Street to L Street, thence south on L Street to Yosemite Avenue, thence east on Yosemite Avenue to D Street (point of beginning).

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

Dated at Los Angeles, California, this 5<sup>th</sup> day of August, 1947.

Harold A. Kula  
Justus J. Quinn  
Earl H. Powell

Herbert Potter  
COMMISSIONERS