

ORIGINAL

Decision No. 41289

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of CHARLES MANFRE doing business as)	
WATSONVILLE TRANSIT SYSTEM for a)	Application No. 29036
certificate of public convenience)	
and necessity to operate as a passen-)	
ger stage corporation.)	

O P I N I O N

By this application, Charles Manfre, doing business as Watsonville Transit System, seeks a certificate of public convenience and necessity authorizing operations as a passenger stage corporation within the city of Watsonville and between Watsonville and certain adjacent territory.

Applicant proposes to operate three 27-passenger buses. Trips would be made every 20 minutes over two routes within Watsonville during the greater part of the day between approximately 7:30 a.m. and 6:30 p.m. Hourly service during the day is proposed between Watsonville and the unincorporated community of Freedom. No service would be rendered on Sundays and certain holidays.

It is stated that no local passenger transportation service is now available within Watsonville. Although Pacific Greyhound Lines serves a portion of the adjacent territory, applicant alleges that carrier's service does not meet local requirements. The verified application sets forth that there has been a considerable increase in the population in Watsonville as well as in the adjacent territory; that various merchants, civic organizations and residents have requested applicant to institute the proposed operations; and that in applicant's opinion there is a definite public demand for the

type of service he is seeking authority to establish.

The City of Watsonville, Watsonville Chamber of Commerce & Agriculture and Pajaro Valley Taxpayers' Association urge that the application be granted. Pacific Greyhound Lines has stated in writing that it does not protest the issuance of the certificate applied for.

It appears that this is not a matter in which a public hearing is necessary.

Upon the facts presented, we are of the opinion and find that public convenience and necessity require the establishment and operation of service as a passenger stage corporation, as proposed by applicant.

Charles Manfre 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 as above entitled having been made, the Commission being fully advised in the premises and having found that public convenience and necessity so require,

IT IS ORDERED:

1. That a certificate of public convenience and necessity be and it is hereby granted to Charles Manfre authorizing the establishment and operation of a service as a passenger stage corporation, as defined in Section 2-1/4 of the Public Utilities Act, for the transportation of passengers between points within the city of Watsonville and between Watsonville and Freedom and intermediate points as one unified operation.

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 schedules within 60 days from the effective date hereof and on not less than 5 days' notice to the Commission and the public.
- (c) Subject to the authority of the 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:
 - (1) From the intersection of Main and East Third Streets in the city of Watsonville along East Third Street, Lincoln Street, Lake Avenue, Brewington Avenue, Palm Avenue, Hill Avenue, Oregon Street, Tuttle Avenue, and East Lake Avenue to the intersection of East Lake and Dolores Avenues.
 - (2) From the intersection of Main and East Third Streets in the city of Watsonville along Main Street, East Fifth Street, Lincoln Street, California Street, Madison Street, Prospect Street, Monte Vista Avenue,

Stanford Avenue, Brewington Avenue, and Montecito Street, to the intersection of Montecito Street and Monte Vista Avenue.

- (3) From the intersection of Main and East Third Streets in the city of Watsonville along Main Street, the old Santa Cruz Highway and Larkin Valley Road to the intersection of Larkin Valley Road and Calabases Road; also, from the intersection of the old Santa Cruz Highway and Roache Road along Roache Road, Pine Drive and Second Avenue to the intersection of Second Avenue and Roache Road.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 9th day of March, 1948.

R. J. Dunning
Justin F. Casner
Walter D. Duggell
Harold A. Kite
Herbert Pottis
 COMMISSIONERS