

Decision No. 43169

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
AZUSA MOTOR BUS COMPANY, a corporation,)	
for a certificate of public convenience)	Application No. 30352
and necessity to operate common carrier)	
passenger service between Azusa, Cali-)	
fornia, and Baldwin Park, California.)	

O P I N I O N

Applicant is a California corporation, organized for the purpose of engaging in the bus transportation business. It is now operating such a service within the city of Azusa and by this application seeks a certificate of public convenience and necessity authorizing it to establish and operate a service as a passenger stage corporation between the city of Azusa and the community of Baldwin Park, and intermediate points.

The proposed route is not competitive with that of other carriers. The application is supported by the communities of Baldwin Park, Irwindale, the city of Azusa, and several business and civic organizations.

Applicant proposes to modify its present route within the city of Azusa, and thence extend westerly along Arrow Highway (Bonita Avenue) to Maine Street, thence southerly along Maine Street to Baldwin Park.

Three fare zones will be established, with fare breaks at the intersection of Clydebank & Gladstone Avenues and the

intersection of Bleeker Street & Arrow Highway (Bonita Avenue). The fare will be 10 cents for the first zone with 5 cents for each additional zone traversed.

A half-hourly schedule between approximately 5:30 a.m. and 6:30 p.m. will be established, with no Sunday service. Two 27-passenger 1942-model Yellow Coaches are to be used and will conform to the requirements of the Commission's orders.

A financial statement filed with its application shows the company's assets and liabilities to be \$5,858 and \$3,352, respectively. Capital is listed as \$2,100 and Surplus \$206. No shares of stock have yet been issued, according to the company's vice-president. The authorized capital is \$25,000, consisting of 2,500 shares of the par value of \$10 each.

As justification for the granting of a certificate, applicant states that it has been engaged in the motor bus business, in the city of Azusa, for the past 16 months; that, due to the increased population and general development of the area which the proposed route will traverse, and expansion of its service as far as Baldwin Park is justified; that the latter community and the city of Azusa are important business and residential areas; that the intermediate areas are also well developed and have no public transportation service; that there is considerable demand for applicant's proposed service because of the need for low-cost transportation to and from places of employment and business districts. Applicant's officers are of the opinion that the operation will be compensatory because of the character of the territory and because no low-cost transportation is now available.

Upon full consideration of this matter, the Commission is of the opinion and finds that public convenience and necessity require that the application be granted. A public hearing is not necessary.

Azusa Motor Bus Company, a corporation, 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, the Commission being fully advised in the premises and being of the opinion 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 Azusa Motor Bus Company, a California corporation, authorizing the establishment and operation of a service as a passenger-stage corporation, as defined in Section 2½ of the Public Utilities Act, for the transportation of persons between the city of Azusa and the community of Baldwin Park and intermediate points.

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

- (a) Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days after the effective date hereof.
- (b) Applicant shall, within sixty (60) days after the effective date hereof, and upon not less than five (5) days' notice to the Commission and the public, establish the service herein authorized and comply with the provisions of General Order 79 and Part IV of General Order 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, Azusa Motor Bus Company, a corporation, shall conduct said passenger stage operation over and along the following described routes:

Beginning at the intersection of Ninth Street & Azusa Avenue; thence south on Azusa Avenue to Foothill Boulevard; thence east on Foothill Boulevard to Pasadena Avenue; thence south on Pasadena Avenue to Third Street; thence west on Third Street to San Gabriel Avenue; thence north on San Gabriel Avenue to Fifth Street; thence west on Fifth Street to Virginia Avenue; thence south on Virginia Avenue to Third Street; thence east on Third Street to Vernon Avenue; thence south on Vernon Avenue to Gladstone; thence west on Gladstone to Jackson Avenue (or Clydebank Avenue); thence south on Clydebank Avenue to Bonita Avenue; thence west on Bonita Avenue to Maine Avenue; thence south on Maine Avenue to Holt Avenue; thence southeast on Holt Avenue to Puente Avenue; thence southwest on Puente Avenue to Merced Avenue; thence northwest on Merced Avenue to Maine Avenue; thence northeast on Maine Avenue to North Maine Avenue.

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

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

Dated at Los Angeles, California, this 2nd day of August, 1949.

R. T. [Signature]
Justin J. Casper
Leopoldo [Signature]
Harold P. [Signature]
Kenneth [Signature]
COMMISSIONERS