

ORIGINAL

Decision No. 42678

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
ISABEL HOWARD and BEN E. NORDMAN,)
partners, doing business under the)
style and business name of HARBOR)
TRANSIT, for a certificate of public)
convenience and necessity to operate)
a passenger, express and mail, auto-)
motive bus service, within the City)
of Port Hueneme and within the City)
of Oxnard.)

Application No. 30678

O P I N I O N

By this application, as amended, Isabel Howard and Ben E. Nordman, copartners, doing business under the firm name and style of Harbor Transit, request that an in lieu certificate of public convenience and necessity be granted, authorizing them to continue to operate a passenger stage service between Oxnard and Port Hueneme, Silver Strand Beach, Hollywood Beach, and Point Mugu, over various routes which will be substantially the same as the routes now used. Through inadvertence, applicant has not heretofore requested authority to operate along portions of the present routes within the city of Oxnard.

The City of Oxnard has advised this Commission that it has no objection to applicant's proposals. Pacific Greyhound Lines, a corporation, which operates through part of the same area does not oppose the granting of the application.

The present operating rights were created by Decisions Nos. 34572, 35433, and 39591. Applicant proposes to make numerous minor route changes within the city of Oxnard, a minor route change in Port Hueneme, and to extend one of its local lines southerly from the city limits of Oxnard to Hughes Street. None of the changes will materially inconvenience present patrons. The proposed extension will inaugurate service to a newly developed community.

Fares will not be changed, and schedules will be increased along some routes. Present equipment will be used which, it is alleged, is adequate.

By Decision No. 35433, applicant was authorized to suspend service along a portion of a route between Port Hueneme and Hollywood Beach. As it does not appear that applicant will, in the foreseeable future, be able to re-establish this service because the U. S. Government is now using the area for military purposes, authority to operate along said route will not now be authorized.

The Commission, having fully considered applicant's proposals, is of the opinion, and finds, that public convenience and necessity require that an in lieu certificate be granted as prayed for.

A public hearing is not necessary.

Isabel Howard and Ben E. Nordman, doing business as Harbor Transit, are hereby placed upon notice that operative rights, as such, do not constitute a class of property which may be 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 granting 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 and the Commission, being fully advised in the premises, having 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 Isabel Howard and Ben E. Nordman, copartners, authorizing the establishment and operation of of a passenger stage corporation, as defined in Section 2 1/4 of the Public Utilities Act, for the transportation of persons and their baggage, or express, limited to shipments of one hundred (100) pounds or less, when such baggage or express is transported incidental to the transportation of passengers and only on passenger-carrying vehicles, between the city of Oxnard, on the one hand, and Port Eueneme, Silver Strand Beach, Hollywood Beach, and Point Mugu, on the other hand, and intermediate points.

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

- (a) Within thirty (30) days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted.
- (b) Within sixty (60) days after the effective date hereof, and upon not less than five (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, tariffs and time schedules satisfactory to the Commission.
- (c) Subject to the authority of this Commission to change or modify such at any time, Isabel Howard and Ben E. Nordman, copartners, shall conduct said passenger stage operation over and along the following described routes:

St. Johns Hospital Route

Beginning at applicant's terminus on 4th Street between Oxnard Boulevard and A Street in Oxnard, thence along 4th Street, A Street, Douglas Avenue, F Street, 1st Street, A Street, 3d Street, Oxnard Boulevard, and 4th Street to point of beginning.

Saviers Road Route

Beginning at applicant's terminus in the city of Oxnard, thence along 4th Street, A Street, Oxnard Boulevard, Ash Street, California Street, Date Street, Saviers Road, Hughes Drive, Samuel Avenue, Dempsey Road, Saviers Road, Hill Street, C Street, 7th Street, A Street, 3d Street, Oxnard Boulevard, and 4th Street to point of beginning.

Colonia Route

Beginning at applicant's terminus in the city of Oxnard, thence along 4th Street, A Street, 3d Street, Hayes Avenue, Colonia Road, Bonita Avenue, Cooper Road, Oxnard Boulevard, and 4th Street to point of beginning.

Dale Park Route

Beginning at applicant's terminus in the city of Oxnard, thence along 4th Street, A Street, 7th Street, C Street, 9th Street, Sola Drive, 10th Street, Wake Road, Lomita Drive, Alameda Drive, Casitas Drive, Sola Drive, 7th Street, A Street, 3d Street, Oxnard Boulevard, and 4th Street to point of beginning.

Port Hueneme Route Via Ventura Road

Beginning at applicant's terminus in the city of Oxnard, thence along 4th Street, A Street, 5th Street, Ventura Road, Pleasant Valley Road, San Pedro Street, Pearl Street, Pacific Street, Main Street, Market Street, Broad Street, Ventura Road, 5th Street, C Street, 6th Street, A Street, 3d Street, Oxnard Boulevard, and 4th Street to point of beginning.

Port Hueneme Route Via Saviers Road

Beginning at applicant's terminus in the city of Oxnard, thence along 4th Street, A Street, 8th Street, C Street, Wooley Road, Saviers Road, Pleasant Valley Road, San Pedro Street, Pearl Street, Pacific Street, Main Street, Market Street, Broad Street, Hueneme Road, Saviers Road, Hill Street, C Street, 8th Street, A Street, 3d Street, Oxnard Boulevard, and 4th Street to point of beginning.

Oxnard-Silver Strand Beach Route Via Hollywood Beach

Beginning at applicant's terminus in the city of Oxnard, thence along 4th Street, C Street, 5th Street, Ventura Road, Oxnard Road, Ocean Drive to Silver Strand Beach and return via same route to the intersection of A Street & 4th Street, thence along 3d Street, Oxnard Boulevard, and 4th Street to point of beginning.

Oxnard-Point Mugu Route Via Port Hueneme

Beginning at applicant's terminus in the city of Oxnard, thence along 4th Street, A Street, 5th Street, Ventura Road, Pleasant Valley Road, San Pedro Street, Pearl Street, Pacific Street, Main Street, Market Street, Broad Street, Hueneme Road, U. S. Highway Alternate 101 to Main Gate at Point Mugu and return via same route to intersection of 4th Street & A Street, thence along A Street, 3d Street, Oxnard Boulevard, and 4th Street to point of beginning.

Oxnard-Point Mugu Route Via Oxnard Boulevard

Beginning at applicant's terminus in the city of Oxnard, thence along 4th Street, A Street, 5th Street, Ventura Road, Wooley Road, U. S. Highway Alternate 101 to Main Gate at Point Mugu and return via same route to intersection of 4th Street

& A Street, thence along A Street, 3d Street, Oxnard Boulevard, and 4th Street to point of beginning.

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.

(3) That the certificate of public convenience and necessity hereinabove granted to Isabel Howard and Ben E. Nordman is in lieu of any and all authority to operate as a passenger stage corporation as heretofore granted to or acquired by them or their predecessors pursuant to Decisions Nos. 34572, 35433, and 39591, which decisions are hereby revoked and annulled.

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

Dated at San Francisco, California, this 10th day of January, 1950.

R. E. Nordman

Isabel Howard

Harold Hill

Kenneth L. Patton
COMMISSIONERS