

**ORIGINAL**Decision No. 44477

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 DAVID E. HAUK, doing business as )  
 REDLANDS BUS LINES, for authority to )  
 amend his certificate of operative )  
 rights acquired by him through Deci- )  
 sion No. 44077, on Application No. )  
 31252 (which were acquired by the ) Application No. 31455  
 former owner under Decisions Nos. )  
 42213, 42290, and 43833) by changing )  
 certain streets and consolidating bus )  
 routes in the routes now followed by )  
 his bus line in the Redlands, Mentone, )  
 and Yucaipa areas. )

O R D E R

David E. Hauk, doing business under the name of Redlands Bus Lines, under authority from this Commission<sup>(1)</sup>, operates as a passenger stage corporation in the city of Redlands, San Bernardino County, California, and between said city and the communities of Mentone and Yucaipa in said county. As presently operated, the routes used do not enable applicant to properly serve the public. It is proposed that much of the operation now conducted as a loop will be primarily a two-way service.

An extension, in order to serve the Redlands Community Hospital on the westerly side of Redlands, is proposed, as well as route changes to better serve the University of Redlands on the northeasterly side of said city. He also requests authority to

(1) Decision No. 44077, dated April 25, 1950, on Application No. 31252; Decision No. 42213, dated November 9, 1948, on Application No. 29724; Decision No. 42290, dated December 7, 1948, on Application No. 29846; Decision No. 43833, dated February 20, 1950, on Application No. 30775; and Decision No. 39474, dated October 1, 1946, on Application No. 27464.

carry express on his passenger vehicles in shipments of not to exceed 100 pounds. These requested changes will result in abandonment of service over several streets in Redlands where the passenger traffic is extremely light. In the area near the intersection of Citrus and Cypress Avenues where the nearest remaining service after the proposed abandonment will be in excess of one-half mile distant, applicant has informed a member of the Commission staff that only two customers who occasionally use the service will be affected. These customers have indicated to applicant, he asserts, that they will not protest the requested changes in routes.

The application has been approved by the City Council of the city of Redlands, as well as by the Redlands Chamber of Commerce. On behalf of the Chamber of Commerce, its president, in a letter addressed to the Commission, states that the proposed changes will enable riders to reach the center of town "in quick time, and not have to ride all around 'Robin Hood's Barn' as they do under the present routing." The granting of the application is recommended by the Commission's transportation engineering staff.

The proposed modifications appear to be in the public interest and the application will, accordingly, be granted by issuing a new certificate authorizing service in the city of Redlands and between said city and the communities of Mentone and Yucaipa, in San Bernardino County, over the routes, as requested and as hereinafter described. A public hearing is not necessary.

David E. Hauk, doing business as Redlands Bus Lines, 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, the Commission being fully informed therein, and it being hereby found that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be, and the same hereby is, granted to David E. Hauk, doing business as Redlands Bus Lines, authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 2 $\frac{1}{2}$  of the Public Utilities Act, for the transportation of passengers and shipments of express not in excess of 100 pounds each on passenger-carrying vehicles only, within the city of Redlands, between Redlands Community Hospital, on the one hand, and the intersection of Crafton Avenue and Mentone Boulevard, on the one hand; and between Redlands, on the one hand, and Mentone

Boulevard, on the other hand; and between Redlands, on the one hand, and Yucaipa, on the other hand; and all intermediate points.

(2) That, in providing service pursuant to the certificate herein granted, applicant shall comply with and observe 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 on 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 Orders Nos. 79, 80, 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) For a period of ten (10) days prior to the effective date of this order, applicant shall post at its terminal and in each of its buses a notice of the changes herein authorized.
- (d) Passengers and express will not be transported locally between the city of Redlands and Yucaipa Junction (intersection of U. S. Highway No. 99 and Yucaipa Boulevard), both points inclusive, and intermediate points on Highway 99.
- (e) Subject to the authority of this Commission to change or modify them at any time by further order, applicant shall conduct operations pursuant to the certificate herein granted, between the following points over and along the following routes:

Redlands Route

From Mentone Boulevard along Wabash Avenue, Colton Avenue, Sixth Street, Lugonia Avenue, Texas Street, Colton Avenue, Orange Street, Cajon Street, Fern Avenue, Center Street, Highland Avenue, San Mateo Street, Fern Avenue, Bellevue Avenue, Laurel Street, to Terracina Boulevard.

Also, from Laurel Street along Terracina Boulevard, Fern Avenue to Bellevue Avenue. Also, along Colton Avenue between Sixth Street and Orange Street.

Mentone-Yucaipa Route

From Yucaipa Boulevard along California Street, Avenue E, Fifth Street, Yucaipa Boulevard, 12th Street, Avenue E, 16th Street, Yucaipa Boulevard, U.S. Highway 99, Highland Avenue, Cajon Street, Orange Street, Lugonia Avenue, and Mentone Boulevard to Crafton-Avenue.

Also, from Mentone Boulevard along Agate Street, Capri Avenue, and Opal Street to Mentone Boulevard.

Also, from California Street along Avenue A, Second Street to Yucaipa Boulevard, and along Yucaipa Boulevard between 5th Street and California Street, and along Yucaipa Boulevard between 16th Street and 12th Street.

Also, along Citrus Avenue between Orange Street and Church Street.

The above routes may be consolidated.

Applicant may turn his motor vehicles at termini or intermediate points, either in the intersection or by operating around a block, in either direction, contiguous to such intersection.

(3) That the certificates of convenience and necessity granted by the order of Decision No. 39474, dated October 1, 1946, on Application No. 27464, and by the order of Decision No. 42290, dated December 7, 1948, on Application No. 29846, including the description of routes therein and as subsequently changed, be, and they hereby are, revoked and rescinded.

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

Dated at San Francisco, California, this 27<sup>th</sup> day of January, 1950.

R. E. Indraco

Robert S. Lowell

Harold K. Kille

COMMISSIONERS