

**ORIGINAL**Decision No. 46575

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of TANNER MOTOR TOURS, LTD.,  
 a corporation, for a certificate of  
 public convenience and necessity to  
 operate as a passenger stage corpor-  
 ation in the transportation of persons  
 between Los Angeles and the Santa Anita  
 Race Track, Arcadia, California

Application No. 32923

O P I N I O N

Applicant herein requests authority to operate as a passenger bus service between a designated territory in Los Angeles on the one hand and on the other, the Santa Anita Race Track at Arcadia, California over specified routes.

By Decision No. 27591 dated December 10, 1934, in Application No. 19585 as amended by Decision No. 40102, dated March 25, 1947 in Application No. 19585, first supplemental, this applicant was granted authority to provide service to the Santa Anita Race Track from three designated hotels in downtown Los Angeles, over specified routes.

The routes over which applicant proposes to conduct operations are as follows:

From the Los Angeles territory via Macy Street, Mission Road and Huntington Drive to the Santa Anita Race Track and return via the same route.

Applicant proposes to charge a round-trip fare of \$1.30 plus tax or a total of \$1.50 and a one-way fare of 87 cents plus tax or a total of \$1.

The equipment proposed to be used will consist of deluxe type sight-seeing buses, equipped with mohair stuffed reclining

seats. Operations will be conducted on a daily basis during all racing seasons at the Santa Anita Race Track. They will be non-scheduled but according to applicant they will be of sufficient frequency and volume to handle all passengers who may apply for such service. From the Los Angeles territory the service will be non-stop to the race track.

A financial statement of applicant's attached to the application indicates financial fitness and ability to render the proposed service.

The only existing carrier with which the proposed service would be competitive is the Pacific Electric Railway Company and this carrier has advised, by means of a letter to this Commission, that it has no objection thereto.

Applicant alleges that the service proposed is solely for the purpose of serving the race track during its racing seasons. Buses will be scheduled to arrive at the track in advance of the first race each day and to depart therefrom at the close of the day's racing events. The race track's transportation requirements are handled at off-peak loading and unloading hours and accordingly applicant alleges that the proposed service will result in no added traffic congestion. It further alleges that it has experienced a growing public demand for this type of service.

After consideration of this record we find that the service proposed by applicant is required by the public convenience and necessity. Tanner Motor Tours 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 determining reasonable rates. 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 operative rights it may issue.

O R D E R

Application as above-entitled having been filed, the Commission being fully advised in the premises and hereby finding that public convenience and necessity so require it is ordered that Tanner Motor Tours, Ltd., be and it hereby is granted a certificate of public convenience and necessity authorizing operations as a passenger stage corporation in the transportation of passengers between the Los Angeles territory hereinafter described on the one hand and the Santa Anita Race Track at Arcadia, California, over and along the following routes:

- (1) From points and places in the Los Angeles territory via Macy Street, Mission Road, Huntington Drive south, to the Santa Anita Race Track and return via Huntington Drive north, Mission Road and Macy Street to the Los Angeles territory.
- (2) The authority herein granted is subject to the following conditions:
  - (a) Applicant shall file a written acceptance of the certificate herein granted, within a period of not to exceed fifteen (15) 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 19 of General Order No. 98, by filing, in triplicate, and concurrently making effective, appropriate tariffs and timetables.
  - (c) The Los Angeles territory to be served by applicant is that territory within the following described boundaries:

"Beginning at Olympic Boulevard and Los Angeles Street, northerly along Los Angeles Street to Macy Street, including therein the Los Angeles Union Depot; westerly along Macy Street and Sunset Boulevard to Figueroa Street; southerly along Figueroa Street to Third Street; westerly along Third Street to Bixel Street; southerly along Bixel Street to Sixth Street; westerly along Sixth Street to Ardmore Avenue; southerly along Ardmore Avenue to Eighth Street; easterly along Eighth Street to Catalina Street; northerly along Catalina Street to Seventh Street; easterly along Seventh Street to Figueroa Street; southerly along Figueroa Street to Olympic Boulevard; easterly along Olympic Boulevard to point of beginning."

The effective date of this order shall be five (5) days after the date hereof.

Dated at San Francisco, California, this 18<sup>th</sup> day of December, 1951.

R. J. [Signature]  
President

Justus J. [Signature]  
Harold [Signature]

[Signature] (Potter)

[Signature]  
Commissioners