

Decision No. 46832

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
JOHN W. CLAYTON (dba Santa Ana)
Garden Grove Bus Lines) to extend)
route or terminus to West 17th)
Street and Huntington Beach Boule-)
vard, to establish fare therefor,)
and to change route within the town)
of Garden Grove.)

Application No. 32992

O P I N I O N

Applicant herein presently conducts a passenger stage operation between Fourth and Main Streets in the City of Santa Ana, on the one hand, and the intersection of Huntington Beach and Garden Grove Boulevards, on the other hand, under a certificate of public convenience and necessity issued by this Commission in Decision No. 44162, dated May 9, 1950, on Application No. 30444. Authority is now requested to extend this operation from its present terminus at Huntington Beach and Garden Grove Boulevards southerly on Huntington Beach Boulevard to West Seventeenth Street, and return, and also to make a change in its present routing in the City of Garden Grove, whereby it is proposed to abandon that part of the route between the intersection of Garden Grove Boulevard and Euclid Avenue, thence via Euclid Avenue and Century Boulevard to the intersection of Century Boulevard with Verano Street, and, in lieu thereof, to conduct operations from the intersection

of Garden Grove Boulevard and Euclid Avenue via Garden Grove Boulevard to Verano Street and thence via Verano Street.

The application alleges that the proposed change within the town of Garden Grove will result in the service being available to a larger number of people, for the reason that the proposed route will traverse a more heavily populated area, and the application further alleges that the proposed extension to West Seventeenth Street will enable the traveling public to make connections with the Long Beach bus of the Pacific Electric Railway line. There are no common carriers operating over the routes over which applicant proposes to operate, and the only common carrier in the area is the Pacific Electric Railway Company. This company has advised the Commission in writing that it has no objection to the proposed extension and rerouting.

The application further sets out that it is proposed to operate over the extension to West Seventeenth Street for seven trips each day. The extension covers a distance of approximately one mile, and applicant proposes to create a Zone 4 for the purpose of setting up fares. There will be no changes in the existing fare structure insofar as the existing routes and zones are concerned. It is proposed to treat Zone 4 on the same basis as each of the present zones with respect to minimum fare and interzone rates. In other words, the intra-zone fare in Zone 4 would be ten cents, with additional charges for traveling to and through the other zones as presently set out in applicant's tariffs. These charges are also set out in the application.

After a full consideration of the proposal submitted by applicant, we find it to be in the public interest and, accordingly, it will be granted. A public hearing is not necessary.

John W. Clayton 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 filed, the Commission being fully advised in the premises and hereby finding 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 John W. Clayton, doing business as Santa Ana-Garden Grove Bus Lines, authorizing the establishment and operation of a service as a passenger stage corporation, as that term is defined in Section 226 of the Public Utilities Code, for the transportation of persons and their baggage between the intersection of Huntington Beach Boulevard and Garden

Grove Boulevard, on the one hand, and, on the other, the intersection of Huntington Beach Boulevard and West Seventeenth Street, as an extension of and in addition to his present operating authority.

(2) That John W. Clayton, doing business as Santa Ana-Garden Grove Bus Lines, be, and he hereby is, authorized to abandon that portion of his present route in the town of Garden Grove between the intersection of Garden Grove Boulevard and Euclid Avenue, thence via Euclid Avenue and Century Boulevard to its intersection with Verano Street, and to substitute therefor the following route: commencing at the intersection of Garden Grove Boulevard and Euclid Avenue, thence via Garden Grove Boulevard and Verano Street to its intersection with Century Boulevard, said rerouting to be a part of applicant's existing routes.

(3) 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 file, in triplicate, and concurrently make effective, appropriate tariffs and time tables.

- (c) Subject to the authority of this Commission to change or modify such at any time, John W. Clayton, doing business as Santa Ana-Garden Grove Bus Lines, shall conduct said passenger stage operation over and along the following-described route:

Commencing at the intersection of Huntington Beach Boulevard and Garden Grove Boulevard, thence via Huntington Beach Boulevard to West Seventeenth Street, and return via the same route.

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 San Francisco, California, this 11th day of March, 1952.

Q. J. Zimmerman
President
James P. Calver
Harold P. Kula
W. E. McMill
Commissioners