

ORIGINALDecision No. 48070

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 GURNEE MUNN, Jr., doing business as
 BANTRY ENTERPRISES, for a certificate
 of public convenience and necessity
 to operate a passenger stage service
 in the transportation of persons
 between the San Fernando Valley
 Territory and Santa Anita Race Track,
 Arcadia, California, and Hollywood
 Park Race Track, Inglewood, California.

Application No. 33853

O P I N I O N

Gurnee Munn, Jr., an individual, doing business as Bantry Enterprises, requests authority to establish and operate a passenger stage service for the transportation of persons between points and places within a described area in San Fernando Valley and the Santa Anita and Hollywood Park Race Tracks.

It is proposed to use Flexible deluxe-type buses. No intermediate local service is contemplated. Schedules will be arranged so as to arrive before the first race and leave after the last race. Proposed fares will be \$2.00 plus tax round trip to each of said tracks.

Applicant is financially responsible and an experienced businessman. It is alleged that he has been the owner of bus equipment which he has leased to various businesses for their private operation, and that he knows the transportation requirements and rules and regulations applicable to the type of service herein proposed.

As justification for the proposed service, applicant states that no direct and convenient service is now available to race patrons from the San Fernando Valley area proposed to be served; that a demand exists justifying the establishment of the service, and that he estimates that the operation will be profitable.

The application is not opposed.

Having fully considered the matter, the Commission is of the opinion and finds that public convenience and necessity require the establishment and operation of a passenger stage service as proposed. The application will be granted. A public hearing is not necessary.

Gurnee Munn, Jr. 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 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 Gurnee Munn, Jr., authorizing the establishment and operation of a service as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, for the transportation of passengers between the San Fernando Valley territory, as herein below described, on the one hand, and the Santa Anita and Hollywood Park Race Tracks, on the other hand, subject to the following restrictions and conditions:

- (a) The transportation service herein authorized shall be rendered only when horse racing is conducted at Santa Anita Park and Hollywood Park Race Tracks.
- (b) No passengers shall be picked up or discharged at points between the San Fernando Valley territory and said race tracks, and every passenger shall be destined to or originate at one of said race tracks.
- (c) The San Fernando Valley territory herein authorized to be served is bounded as follows:

Devonshire Street on the north,
Canoga Avenue on the west, Ventura
Boulevard on the south, and Woodman Avenue
on the east.

(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 file in triplicate and concurrently make 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, Gurnee Munn, Jr. shall conduct said passenger stage operations over and along the following-described routes:

Santa Anita Park Regular Route:

Commencing at Reseda Boulevard and Ventura Boulevard, thence easterly along Ventura Boulevard to Van Nuys Boulevard, northerly along Van Nuys Boulevard to Foothill Boulevard, southeasterly along Foothill Boulevard to Washington Street, easterly along Washington Street to Foothill Boulevard, south and east on Foothill Boulevard to Rosemead Boulevard, south on Rosemead Boulevard to Huntington Drive, easterly on Huntington Drive to Santa Anita Race Track; and return via the same routing.

Santa Anita Park Alternate Route:

Commencing at Reseda Boulevard and Ventura Boulevard, thence northerly along Reseda Boulevard to Vanowen Street, easterly along Vanowen Street to Van Nuys Boulevard, northerly along Van Nuys Boulevard to Foothill Boulevard, southeasterly along Foothill Boulevard to Washington Street, easterly along Washington Street to Foothill Boulevard, south and east on Foothill Boulevard to Rosemead Boulevard, south on Rosemead Boulevard to Huntington Drive, easterly on Huntington Drive to Santa Anita Race Track; and return via the same route.

Hollywood Park Route:

Commencing at Reseda Boulevard and Ventura Boulevard, thence easterly along Ventura Boulevard to Sepulveda Boulevard, southerly along Sepulveda Boulevard to Manchester Avenue, easterly along Manchester Avenue to Prairie Avenue, southerly along Prairie Avenue to Hollywood Park Race Track.

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 the date hereof.

Dated at Los Angeles, California, this 16th day of December, 1952.

R. J. [Signature]
President
James J. [Signature]
Harold [Signature]
[Signature]
[Signature]
Commissioners