

ORIGINALDecision No. 49553

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 MANUEL SANDOVAL to operate station
 wagon transportation service between
 Atwood, Placentia, Anaheim and
 Fullerton to Douglas Aircraft Plant
 in Long Beach, California; and to
 establish fares.

Application No. 34667

O P I N I O N

Applicant herein requests authority to operate a station wagon transportation service for employees of the Douglas Aircraft Plant living in the Anaheim-Fullerton area, to and from the plant on Lakewood Boulevard near Long Beach, over routes specified in the application.

The application discloses that applicant is a resident of Placentia, California, and an employee of the Douglas Aircraft Company. For the past year he has been furnishing station wagon transportation to fellow employees who live in the Anaheim-Fullerton area and who work at the Douglas plant. The transportation service consists of picking up the employees at their respective homes, taking them to the plant, and returning them to their homes at the end of their work shifts. This transportation is furnished five days a week, Monday through Friday, and operates for each of the three shifts commonly called the "day shift," the "swing shift," and "graveyard shift." Occasionally transportation is furnished on Saturday to accommodate workers who may receive

Saturday assignments. In the conduct of this business applicant uses three Chevrolet station wagons, two are 1952 models, and the third is a 1953 model. He carries public liability and property damage insurance on each vehicle, and driving is performed by himself and other employees. A charge of \$3 per week is made for each rider except for those who act as drivers. For the drivers no charge is made and no compensation is paid to them except that they are reimbursed for their traveling expenses from their homes to Placentia to pick up the station wagons. The applicant points out that this system is the outgrowth of a share-the-ride plan which was inaugurated during World War II. It is further alleged that there is no existing common carrier service with which the proposed service will compete, with the exception of a resident of Santa Ana named Albert Lipps who is conducting a service similar to that of applicant.

Attached to the application are maps showing the proposed routes and a financial statement of the applicant.

Notices of this application have been served upon the Counties of Los Angeles and Orange, the Cities of Anaheim, Fullerton and Long Beach, the Pacific Electric Railway Company, the Cross Town Bus Lines and the West Orange Transit Company. No protests have been received from any of these and there have been replies from the County of Orange, the Cities of Anaheim, Fullerton and Long Beach, the Pacific Electric Railway Company, the West Orange Transit Company and the Cross Town Bus Lines, each indicating that there is no objection to the proposed service providing it is restricted to the type of operations presently being performed and to the use of station wagons.

After a full consideration of this record we hereby find that public convenience and necessity require the issuance of a certificate of public convenience and necessity to Manuel Sandoval to transport passengers in station wagons between Placentia, California, and the Douglas Aircraft Plant on Lakewood Boulevard near Long Beach, such transportation to be limited to employees of the Douglas Aircraft Company when traveling between their residences and place of work and to be operated under the conditions as set out in the application. Applicant will be required to file a schedule of fares as described in the application and will not be permitted to transport property.

Manuel Sandoval 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 as above entitled having been filed, the Commission being fully advised in the premises and 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 Manuel Sandoval, authorizing the establishment and operation of a service as a passenger stage corporation, as such term is defined in Section 226 of the Public Utilities Code, for the transportation in station wagons of employees of the Douglas Aircraft Company when traveling between their residences and place of work, between Placentia and the Douglas Aircraft Plant on Lakewood Boulevard near the city of Long Beach, serving all 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 days after the effective date hereof applicant shall file a written acceptance of the certificate herein granted.
- (b) Within sixty days after the effective date hereof, and upon not less than five 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, Manuel Sandoval shall conduct said passenger stage operation over and along the following described routes:

Route 1

Commencing at 206 $\frac{1}{2}$ Melrose Avenue in Placentia, thence via any and all available streets and highways to the intersection of Center Highway 18 with Euclid Avenue near Anaheim, thence via Center Highway 18 to its intersection with Bellflower Boulevard in Long Beach, thence

via any and all available streets and highways to the Douglas Aircraft Plant on Lakewood Boulevard near Long Beach. Return via the same route.

Route 2

Commencing at 206½ Melrose Avenue in Placentia, thence via any and all available streets and highways to the intersection of Orangethorpe Highway 14 with Gilbert Avenue near Fullerton, thence via Orangethorpe Highway 14 to Walker Street, Center Highway 18 to its intersection with Bellflower Boulevard in Long Beach, thence via any and all available streets and highways to the Douglas Aircraft Plant on Lakewood Boulevard near Long Beach. Return via the same route.

(3) That in all other respects the application shall be denied.

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

Dated at San Francisco, California, this 17th day of January, 1954.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]
Commissioners