

ORIGINALDecision No. 50042

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 FRANK MANNINO and DOMINIC MANNINO)
 to Operate Passenger Bus Service)
 Between San Pedro, California and)
 Hollywood Park Race Track in)
 Inglewood, California, and certain)
 intermediate points.)

Application No. 35386

O P I N I O N

Frank Mannino and Dominic Mannino request authority to establish and operate a passenger stage service for the transportation of persons between San Pedro (a portion of the City of Los Angeles) and Hollywood Park Race Track, Inglewood.

Applicants propose to operate one 37-passenger inter-city bus. Passengers will be picked up only at the intersection of 6th Street and Pacific Avenue, San Pedro, at the intersection of Anaheim Street and Gaffey Street, at the intersection of Pacific Coast Highway and Western Avenue, and at the intersection of Carson Boulevard and Western Avenue enroute to the track, and discharged only at those intersections on the return trip.

Service is to be rendered on racing days only, and one trip each way will be made, with arrival at the track prior to the first race and with departure from the track after the last race.

Proposed fares will be \$1.50 per round trip from 6th Street and Pacific Avenue, \$1.25 from Anaheim Street and Gaffey Street, and \$1.00 from Western Avenue and Carson Boulevard.

Applicants allege they are presently operating a passenger stage in San Pedro, and the application shows they are financially responsible.

As justification for the proposed service, applicants state that there is a substantial number of persons in its proposed service area who are patrons of the Hollywood Park Race Track and that a number of said persons would find it convenient to use the service if it is instituted.

No other carrier provides a similar service between the points involved.

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. A public hearing is not necessary.

Frank Mannino and Dominic Mannino are 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 Frank Mannino and Dominic Mannino 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 San Pedro, on the one hand, and Hollywood Park Race Track, in Inglewood, on the other hand, subject to the following restrictions:

- (a) The transportation service herein authorized shall be rendered only when horse racing is conducted at Hollywood Park Race Track.
- (b) Passengers shall be picked up or discharged at the following intersections or points only:

6th Street and Pacific Avenue,
Anaheim Street and Gaffey Street,
Pacific Coast Highway and western Avenue,
Carson Boulevard and western Avenue,
Hollywood Park Race Track.

(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, Frank Mannino and Dominic Mannino shall conduct said passenger stage operations over and along the following described route:

Commencing at 6th Street and Pacific Avenue, San Pedro, thence via 6th Street, Gaffey Street, Anaheim Street, Western Avenue, Century Boulevard and 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 San Francisco, California,
this 13th day of May, 1954.

John E. McMill
President

Justus J. Calmes

Samuel H. Lott

Carne Higgins

Commissioners