

**ORIGINAL**

Decision No. 52441

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of MELVIN H. UHRICH, )  
doing business as a passenger stage )  
line, for Certificate of Public )  
Convenience. )

Application No. 37243

Melvin H. Uhrich, in propria persona.

Fred Forgy for Albert Lipps, doing business as  
Douglas Bus Line; Wahlfred Jacobson, City  
Attorney, by Leslie E. Still, Deputy City  
Attorney, for the City of Long Beach, and  
Henry E. Jordan for the Bureau of Franchises  
and Public Utilities of the City of Long  
Beach; interested parties.

Fred Ballenger for the Commission's staff.

O P I N I O N

Melvin H. Uhrich requests authority to render service as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, for the transportation of employees of the Douglas aircraft plant in Long Beach between the plant on the one hand, and, on the other hand, any point in an area in the vicinity of Fullerton and Anaheim, California, bounded as follows:

From the intersection of Grand Avenue and Commonwealth Avenue, Commonwealth Avenue, Placentia Avenue, Ball Road, Walker Avenue, Orangethorpe Avenue and Grand Avenue to Commonwealth Avenue,

via described routes.

The applicant alleges that he will render no local service between the termini.

A public hearing was held in Long Beach on September 26, 1955, before Examiner Kent C. Rogers, at which evidence was presented and at the conclusion of which the matter was submitted.

Albert Lipps, doing business as Douglas Bus Line, has authority from this Commission to transport Douglas employees between the plant and various points, including points on Lincoln Avenue in Anaheim. Lincoln Avenue passes through applicant's proposed service area about one mile north of the southern boundary thereof. Albert Lipps protested the application. The applicant stipulated that the proposed service area would be modified so that the southern boundary thereof would be La Palma Avenue. The application was so amended and Albert Lipps withdrew his protest.

The applicant testified that his financial situation is reflected in Exhibit A on the application; that he has one Plymouth station wagon which will carry eight passengers plus the driver; that this vehicle is to be used in rendering the proposed service; and that he had made arrangements to acquire also two seven-passenger limousines for use in the proposed service. He proposes to charge passengers other than the drivers \$3.50 per week, he said. The drivers will be employees of the Douglas plant, will be required to secure chauffeur's licenses, and will receive free transportation as compensation for rendering the service. There are, he said, three shifts of employees at the Douglas plant and the described service is to be rendered for each shift. Passengers are to be picked up and discharged at their homes, hence the applicant desires authority to serve to and from an area rather than via specific routes.

As justification for the granting of the requested authority, applicant testified that he has received numerous requests from Douglas plant employees residing in the proposed service area that he render the proposed service. There is, he said, no public transportation available between the proposed service area and the Douglas plant.

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 set out in the order herein.

Melvin H. Urich 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 as to the number of rights which may be given.

O R D E R

Application having been made, a public hearing having been held thereon, 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 Melvin H. Uhrich authorizing him to establish and operate a service as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, for the transportation of employees of Douglas Aircraft Company only between the aircraft company plant, located on Lakewood Boulevard near Carson Street in the City of Long Beach, on the one hand, and all points and places in an area in and near Fullerton and Anaheim, California, bounded as follows:

From the intersection of Grand Avenue and Commonwealth Avenue, Commonwealth Avenue, Placentia Avenue, La Palma Avenue, Walker Street, Orangethorpe Avenue, and Grand Avenue to Commonwealth Avenue,

on the other hand, along the routes hereinafter described, and subject to the following condition or restriction:

Applicant shall not pick up or discharge passengers at any point on its authorized routes between the Douglas Aircraft Company plant and the intersection of La Palma Avenue and Walker Street, exclusive of both 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 satisfactory to the Commission.

(c) Subject to the authority of this Commission to change or modify such at any time, Melvin H. Urich shall conduct said passenger stage operations over and along the following described routes:

1. To the Douglas plant:

From the intersection of La Palma Avenue and Walker Street, via Walker Street, Cerritos Avenue, Spring Street and Lakewood Boulevard to the plant entrance.

2. From the Douglas plant:

From the entrance to the Douglas plant on Lakewood Boulevard, via Lakewood Boulevard, Carson Street, also known as State Highway No. 18, and Walker Street to La Palma Avenue.

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 days after the date hereof.

Dated at San Francisco, California, this 25<sup>th</sup> day of October, 1955.

[Signature]  
President  
[Signature]  
[Signature]

Commissioners

Justus E. Craemer  
Commissioner & Ray E. Untereiner, being necessarily absent, did not participate in the disposition of this proceeding.