

Decision No. 52355

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of J. R. BRITTON, doing)
 business as Long Beach Limousine)
 Service, for certificate of public)
 convenience and necessity to operate)
 limousine service as a highway com-)
 mon carrier of passengers, baggage,)
 express, newspapers and mail between)
 Pasadena, California, and Los)
 Angeles (International) Airport,)
 Inglewood, California; to extend)
 the present operations of applicant)
 under existing certificate of pub-)
 lic convenience and necessity as a)
 highway common carrier of passen-)
 gers and their baggage between)
 Long Beach, California, on the one)
 hand, and on the other hand, the)
 Los Angeles Municipal (International))
 Airport, Inglewood, California, and)
 the Lockheed Airport, Burbank,)
 California, to include baggage,)
 express, newspapers and mail, and to)
 change routings on this existing)
 certificate.)

Application No. 37316

Clock, Waestman & Clock by Harold K. Marcum,
 for applicant;
Frank L. Kostlan, for City of Pasadena; Walhfred
Jacobson and Leslie E. Still, for City of
 Long Beach; Henry E. Jordan, for Bureau of
 Franchises and Public Utilities of the City of
 Long Beach; George W. Thackabury, for Railway
 Express Agency; L. S. Jones, for Metropolitan
 Coach Lines, and Thomas W. Ames, for self,
 interested parties.

O P I N I O N

A public hearing was held in Los Angeles before Examiner Mark V. Chiesa. Oral and documentary evidence having been adduced, the matter was submitted for decision.

Applicant now operates a "passenger stage" service for the transportation of "passengers and their baggage between Long Beach, California, on the one hand, and on the other hand, the Los Angeles

Municipal (International) Airport, Inglewood, California, and the Lockheed Airport, Burbank California." Service at intermediate points is restricted, and regular and alternate routes are as described in Decisions Nos. 46381, 47251 and 48125.

By this application, as amended, authority is sought to (1) establish a similar regularly scheduled service between Pasadena and Los Angeles International Airport, (2) enlarge the operating authority to include the transportation of so-called "expedite baggage" and express consisting of mail and newspapers, (3) reroute the present service between Long Beach and Lockheed Air Terminal, and (4) change a portion of the present route in the City of Long Beach.

The present restriction that "no passengers shall be picked up or discharged at intermediate points on the route hereinafter described, other than at the three terminal points above named" will be retained and applicant proposes a similar restriction as to points intermediate of the City of Pasadena and said International Airport. "Expedite baggage" is defined as "baggage that has been delayed, generally at an airline transfer point, which the airlines wish to deliver quickly to the passenger." The only express proposed to be carried is newspapers and airmail.

The proposed one-way fare between Pasadena and said airport is \$2.50, including tax. Applicant proposes to commence its Pasadena service with nine regularly scheduled trips leaving Pasadena between the hours of 5:10 a.m. and 8:05 p.m., and leaving the airport between the hours of 6:00 a.m. and 10:40 p.m. The distance one way is approximately 27 miles and the running time will vary between 50 and 65 minutes depending on traffic conditions and the number of terminal stops. Applicant's proposed points of service in the City of Pasadena are the Hotel Green, Constance Hotel, and the Huntington-

Sheraton Hotel. His present terminals in the City of Long Beach are the Wilton Hotel and Lafayette Hotel.

In addition to his testimony applicant presented 9 exhibits and called 12 public witnesses in support of his application. The public witnesses represented civic organizations, principal hotels, institutes of learning, and industrial and commercial companies. There is substantial evidence of record that there is a public need for the proposed service, and we so find.

The application was not opposed and will be granted subject to certain restrictions as hereinbelow set forth. For the purpose of clarification and because of several previous amendments changing the present routes, applicant will be granted an in lieu certificate in place and stead of his present operating authority. The revised Long Beach-Lockheed Air Terminal route will be improved by a partial use of the Hollywood Freeway in place of the former Riverside Drive portion of said route.

J. R. Britton, doing business as Long Beach Limousine Service, is hereby placed on 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

A public hearing having been held, 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 is hereby, granted to J. R. Britton, doing business as Long Beach Limousine Service, 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 persons and their baggage or express, between the points and over the routes more particularly set forth in Appendix A attached hereto and made a part hereof.

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. By accepting the certificate of public convenience and necessity herein granted, applicant is placed upon notice that he will be required, among other things, to file annual reports of his operations and to comply with and observe the safety rules and other regulations of the Commission's General Order No. 98. Failure to file such reports, in such form and at such time as the Commission may direct, or to comply with and observe the provisions of General Order No. 98, may result in a cancellation of the operating authority granted by this decision.
- 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.

3. That Decisions Nos. 46381, 47251 and 48125 be, and they are hereby, revoked and annulled.

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

Dated at San Francisco, California, this 12th day of December, 1955.

E. E. Mitchell
 President

Justin D. Quinn

James L. McCreary

William J. Kelly

R. V. Hardy
 Commissioners

Decision No. 52355

Dated DEC 12 1955

Application No. 37316

APPENDIX A
Page 1 of 3

J. R. Britton, doing business as Long Beach Limousine Service, by the certificate of public convenience and necessity granted in the above-numbered decision; is authorized to transport persons and their baggage or express, (1) between the City of Long Beach, on the one hand, and the Los Angeles International Airport in Inglewood, and the Lockheed Air Terminal in Burbank on the other hand, and (2) between the City of Pasadena and the Los Angeles International Airport, subject to the following conditions and restrictions:

- a. No passenger shall be transported whose origin or destination is a point intermediate of the City of Long Beach, on the one hand, and the Los Angeles International Airport and Lockheed Air Terminal, on the other hand, or intermediate of the City of Pasadena and the Los Angeles International Airport, and all passengers shall either be destined to or originate at one of said airports.
- b. No express shall be transported except expedite baggage, mail or newspapers and said express shall be transported on passenger-carrying vehicles and limited to a weight of not more than 100 pounds per shipment.

Decision No. 52355

Date DEC 12 1955

Decision No. 37316

APPENDIX A
Page 2 of 3

Subject to the authority of this Commission to change or modify such at any time, J. R. Britton shall conduct said passenger stage operation over and along the following described routes:

Long Beach-Los Angeles International Airport-Lockheed Air Terminal Route

Beginning at the Wilton Hotel in Long Beach, thence along Ocean Boulevard, Linden Avenue to Lafayette Hotel, continuing to Third Street, thence along Third Street, American Avenue, Pacific Coast Highway (U. S. Highway 101), Sepulveda Boulevard, Century Boulevard, to Los Angeles International Airport, thence continuing along Airport Road, La Tijera Boulevard, Slauson Avenue, La Brea Avenue, Edgewood Place, Highland Avenue, Cahuenga Boulevard, Barham Boulevard, Olive Avenue and Hollywood Way to Lockheed Air Terminal. Return via same route to the intersection of Pacific Coast Highway and Pacific Avenue, thence via Pacific Avenue and Ocean Boulevard to point of beginning.

Long Beach-Lockheed Air Terminal Route

Beginning at the Wilton Hotel in Long Beach, thence along Ocean Boulevard, Linden Avenue to Lafayette Hotel, continuing to Third Street, thence along Third Street, American Avenue, Willow Street, Santa Fe Avenue, Olive Street (in Compton), Alameda Street, Hollywood Freeway, Barham Boulevard, Olive Avenue (in Burbank), Hollywood Way, to Lockheed Air Terminal. Returning via same route to intersection of American Avenue and Pacific Coast Highway, thence along Pacific Coast Highway, Pacific Avenue, Ocean Boulevard, to point of beginning.

Decision No. 52355-

Dated DEC 12 1955

Application No. 37316

APPENDIX A
Page 3 of 3

Pasadena-Los Angeles International Airport Route

Beginning at the Green Hotel at Fair Oaks Avenue and Green Street in Pasadena, thence along Green Street, Arroyo Seco, Colorado Street, Mentor Street, to Constance Hotel, thence along Mentor Street, Green Street, Lake Avenue, Oak Knoll Circle, Oak Knoll Avenue, to Huntington-Sheraton Hotel, thence along Oak Knoll Avenue, Elliott Drive, El Molino Avenue, Glenarm Street, Arroyo Seco, Harbor Freeway, Figueroa Street, Santa Barbara Avenue, Hoover Street, Florence Avenue, Aviation Boulevard, Century Boulevard, to Los Angeles International Airport. Return via same route to junction of Figueroa Street and Flower Street, thence along Flower Street to Harbor Freeway and return to Pasadena along previously described route.

Alternate Long Beach Route

Along American Avenue between Third Street and Ocean Boulevard.

Alternate Pasadena Route

Along Arroyo Seco Parkway between Green Street and Glenarm Street.

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.