

**ORIGINAL**Decision No. 59645

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
 of Dean Carson, William K. Carson  
 and David M. Carson, Partners, doing  
 business under the name of Cross  
 Town Bus Lines, for authority to ex-  
 tend lines and to establish special  
 school service area in the vicinity  
 of Anaheim and Buena Park.

Application No. 41737

O P I N I O N

The applicants are at present operating passenger stage services in and around the cities of Anaheim, Fullerton and Placentia pursuant to authority from this Commission.<sup>1/</sup> By the application herein, filed on December 8, 1959, they seek authority to make certain extensions of service in the Anaheim-Buena Park area, as follows:

- a. From the intersection of La Palma Avenue and Moraga Street along La Palma Avenue and Grand Avenue to Knott's Berry Farm.
- b. From the intersection of Loara Frontage Road and Center Street along Loara Frontage Road, Loara Street, Crescent Avenue, and Euclid Avenue to Center Street.
- c. Along Los Angeles Street between Center Street and Broadway.

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<sup>1/</sup> Decision No. 44520, dated July 11, 1950, in Application No. 31384; Decision No. 47331, dated June 24, 1952, in Application No. 33301; Decision No. 50473, dated August 24, 1954, in Application No. 35537.

Extension a. will provide service to a new Sears, Roebuck and Co. store located at Stanton and La Palma Avenues, and additional service to Knott's Berry Farm on Grand Avenue. Extension b. will provide service to a new Broadway Shopping Center. Extension c. will serve the Anaheim Greyhound depot. Applicants allege that they have had many requests that they make these extensions.

One additional bus will be required and service to the Anaheim and Buena Park areas will be increased. Proposed schedules are shown on Exhibit E to the application.

Applicants also seek authority to operate an area-wide school service. After conferring with a staff engineer, applicants stated they are agreeable to the denial of this portion of the application at the present time.

The Commission, having considered the matter, is of the opinion and finds that public convenience and necessity require that applicant extend service to Knott's Berry Farm, the Broadway Shopping Center, and the Anaheim Greyhound depot, as proposed in the application. The Commission is further of the opinion, and finds, that the proposed special school service should not be authorized at this time and, it will be so ordered. A public hearing is not necessary.

Applicants' existing operating authorities, reflected by the certificates referred to in the opinion herein, will be canceled and an in lieu certificate of public convenience and necessity will be issued.

Dean Carson, William K. Carson and David M. Carson, doing business as Cross Town Bus Lines, 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, such rights extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be modified or canceled 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

An application having been filed, the Commission having found that public convenience and necessity require that the application should be granted in part and denied in part, and that an in lieu certificate should be issued,

IT IS ORDERED:

1. That a certificate of public convenience and necessity be, and it hereby is, granted to Dean Carson, William K. Carson and David M. Carson, doing business as Cross Town Bus Lines, authorizing them to establish and operate service for the transportation of persons as a "passenger stage corporation", as defined in Section 226 of the Public Utilities Code, between the points and over the routes more particularly set forth in

Appendix A, attached hereto and made a part hereof, subject to the conditions and restrictions as set forth in said Appendix A.

2. That the certificate of public convenience and necessity granted in paragraph (1) of this order is in lieu of and supersedes all existing certificates of public convenience and necessity or other passenger stage operating authority heretofore granted to or acquired by Dean Carson, William K. Carson and David M. Carson, doing business as Cross Town Bus Lines, which certificates and operating authority are hereby canceled and revoked, said cancellation and revocation to become effective concurrently with the effective date of the tariff filings required by paragraph 3(b) hereof.

3. That in providing service pursuant to the certificate herein granted, Dean Carson, William K. Carson and David M. Carson, doing business as Cross Town Bus Lines, shall comply 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 on notice that it will be required, among other things, to file annual reports of its 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 on not less than ten days' notice to the Commission and to the public, applicant shall establish the service herein authorized and file in triplicate, and concurrently make effective, tariffs satisfactory to the Commission.

4. That, except as herein specifically granted, Application No. 41737 is denied.

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

Dated at San Francisco, California, this 9th day of February, 1960.

Ernest R. Long  
President  
John E. Britchell  
William J. Cook  
Theodore J. Jenner  
Commissioners

DEAN, WILLIAM K., AND DAVID M. CARSON,  
Copartners, doing business as  
CROSS TOWN BUS LINES

Appendix A

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CERTIFICATE  
of  
PUBLIC CONVENIENCE AND NECESSITY

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Showing passenger stage operative rights, restrictions,  
limitations, exceptions, and privileges applicable thereto.

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All changes and amendments as authorized by  
the Public Utilities Commission of the State of California  
will be made as revised pages or added original pages.

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Issued under authority of Decision No. 59645  
dated Feb. 9, 1960, of the Public Utilities Commission  
of the State of California, on Application No. 41737.

DEAN, WILLIAM K., AND DAVID M. CARSON  
Copartners, doing business as  
CROSS TOWN BUS LINES

Appendix A

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SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,  
AND SPECIFICATIONS.

The certificate hereinafter noted supersedes all operative authority heretofore granted to Dean, William K., and David M. Carson, copartners, doing business as Cross Town Bus Lines.

Dean, William K., and David M. Carson, copartners, doing business as Cross Town Bus Lines, by certificate of public convenience and necessity granted by the decision noted in the margin, are authorized to transport passengers within and between the cities of Fullerton, Placentia, Anaheim, and Buena Park and the territory intermediate thereto, over and along the routes described, subject to the conditions and restrictions hereinafter set forth.

- (a) Motor vehicles may be turned at termini and intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections in accordance with local traffic regulations.
- (b) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (c) The Anaheim-West La Palma and Anaheim-Lincoln Avenue routes may be operated separately or combined at Knott's Berry Farm and operated as a through route, provided that adequate service is operated in each direction along La Palma Avenue and Lincoln Avenue.

Issued by California Public Utilities Commission.

Decision No. 59645, Application No. 41737.

DEAN, WILLIAM K., AND DAVID M. CARSON,  
Copartners, doing business as  
CROSS TOWN BUS LINES

Appendix A

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SECTION 2. ROUTE DESCRIPTIONS.

Anaheim-Fullerton Route

Beginning at the intersection of Los Angeles Street and Broadway, thence along Los Angeles Street, Center Street, Anaheim-Olive Boulevard, Placentia Avenue, La Jolla Avenue, Taffola Street, Melrose Street, Chapman Avenue, Raymond Avenue, Wilshire Avenue, Harvard Avenue, and Commonwealth Avenue to its intersection with Edwards Avenue.

Also, beginning at the intersection of Commonwealth Avenue and Edwards Avenue, thence along Edwards Avenue, Valencia Drive, and Brookhurst Avenue to its intersection with Commonwealth Avenue.

Also, beginning at the intersection of Center Street and East Street, thence along East Street, Pa Palma Avenue, and Acacia Avenue to its intersection with Romneya Drive.

Also, beginning at the intersection of Melrose Street and Santa Fe Avenue, thence along Santa Fe Avenue, Bradford Avenue, and Crowther Avenue to its intersection with Melrose Street.

Also, beginning at the intersection of Melrose Street and Santa Fe Avenue, thence along Santa Fe Avenue, Bradford Avenue, and Chapman Avenue to its intersection with Melrose Street.

Issued by California Public Utilities Commission.

Decision No. 59845, Application No. 41737.



DEAN, WILLIAM K., AND DAVID M. CARSON,  
Copartners, doing business as  
CROSS TOWN BUS LINES

Appendix A

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SECTION 2, ROUTE DESCRIPTIONS (Continued)

Anaheim-West La Palma Route

Beginning at the intersection of Los Angeles Street and Broadway, thence along Los Angeles Street, Center Street, Palm Street, North Street, West Street, La Palma Avenue, and Grand Avenue to Knott's Berry Farm.

Also, beginning at the intersection of Center Street and Palm Street, thence along Palm Street to its intersection with Ball Road.

Anaheim-Lincoln Avenue Route

Beginning at the intersection of Los Angeles Street and Broadway, thence along Los Angeles Street, Center Street, Lincoln Avenue, Grand Avenue, and La Palma Avenue to its intersection with Stanton Avenue.

Also, beginning at the intersection of Lincoln Avenue and Loara Frontage Road, thence along Loara Frontage Road, Loara Street, Crescent Avenue, and Euclid Avenue to its intersection with Lincoln Avenue.

Issued by California Public Utilities Commission.

Decision No. 59645, Application No. 41737.