

**ORIGINAL**Decision No. 61862

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of JACK A. ROESCH, doing business as WESTERN TRAIL STAGES, for a certifi- cate of public convenience and neces- sity to operate a passenger stage.	}	Application No. 43273
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O P I N I O N

By the above-numbered application, Jack Roesch, doing business as Western Trail Stages, seeks authority to operate a passenger stage service between San Bernardino and Ontario, on the one hand, and Wrigley Field, in the City of Los Angeles, on the other hand, for persons desiring to attend the Los Angeles "Angels" baseball games. The service will be operated on Fridays, Saturdays and Sundays, and will be available for a \$3.25, plus tax, round-trip fare. Comfortable buses will be used from named pickup and discharge points within the said cities. No intermediate local service is proposed. Passengers will be transported directly to Wrigley Field and return. Pickup points will be applicant's terminal at 24644 Ninth Street, the California Hotel at Fifth and "E" Streets, and the bus depot at 279 North "F" Street, all in San Bernardino, and at the Ontario Travel Bureau in Ontario.

Applicant now operates a similar service to the Los Angeles Coliseum for the "Dodgers" home games (Decision No. 59113). Fares, equipment, schedules, and main routes will be the same for both services.

Applicant also is authorized and is operating a regularly scheduled bus service between San Bernardino, on the one hand, and

Crestline, Lake Arrowhead and Big Bear Lake, on the other hand, and intermediate and off-route points, subject to certain conditions and restrictions (Decisions Nos. 43644 and 47178).

The application is not opposed.

Applicant alleges that there is a public demand for a direct round-trip-type service as herein proposed. Buses will depart two hours before game time and return immediately following the game. Running time will be approximately one and one-half hours.

Upon consideration of all the allegations of the application, the Commission finds and concludes that applicant possesses the experience, equipment, personnel and financial resources to initiate and maintain the proposed service, and that public convenience and necessity require that the application be granted as set forth in the ensuing order. A public hearing is not necessary.

Jack A. Roesch 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, 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

Application having been made, the Commission having been fully advised in the premises and having found facts and concluded as hereinabove set forth,

IT IS ORDERED that:

(1) A certificate of public convenience and necessity be and it hereby is granted to Jack A. Roesch, doing business as Western Trail Stages, authorizing the establishment and operation of service as a passenger stage corporation as defined in Section 226 of the Public Utilities Code for the transportation of persons between the points and places and along the routes more specifically described in Appendix A attached hereto and made a part hereof.

(2) 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 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 and insurance requirements of the Commission's General Order No. 101-A. 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 Orders Nos. 98 and 101-A, may result in a cancellation of the operating authority granted by this decision.
- b. Within 120 days after the effective date hereof, and on not less than one day's notice to the Commission and the public, applicant shall establish the service

herein authorized and file in triplicate and concurrently make effective, tariffs and timetables satisfactory to the Commission.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 18th day of April, 1961.

Walter H. Papp  
President

George G. Hoover

Commissioners

Jack A. Roesch, doing business as Western Trail Stages, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport persons between points in San Bernardino County as hereinafter specified, on the one hand, and Wrigley Field in the City of Los Angeles, on the other hand, subject to the following conditions and restrictions:

- (a) The transportation service herein authorized shall be rendered only on a round-trip basis and no passenger shall be picked up or discharged at any point in San Bernardino County, other than as herein specified, and Wrigley Field, and passengers shall not be discharged at any points other than Wrigley Field and said points in San Bernardino County.
- (b) Applicant shall pick up and discharge passengers only at 24644 Ninth Street, San Bernardino, the California Hotel at Fifth and "E" Streets, the bus depot at 279 No. "F" Street, in San Bernardino, the Ontario Travel Bureau in Ontario, and Wrigley Field in Los Angeles.
- (c) Applicant shall operate the service hereinabove authorized only when the Los Angeles Angels baseball team is playing in Wrigley Field.

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Appendix A

JACK A. ROESCH  
doing business as  
WESTERN TRAIL STAGES

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Subject to the authority of this Commission to change or modify said passenger stage operation at any time, applicant shall conduct said operation over and along the following route or routes:

Commencing at applicant's bus storage area located at 24644 9th Street, in San Bernardino, thence along Waterman Avenue and 5th Street to the California Hotel, thence to the San Bernardino Union Bus depot at 279 North "F" Street, thence via the most direct route to the San Bernardino freeway, thence along said freeway to Ontario, thence via the most direct route to the Ontario Travel Bureau. Return to the San Bernardino freeway, thence along the San Bernardino freeway and the Harbor freeway to either the Jefferson Street, Exposition Boulevard, Santa Barbara Avenue, or Vernon Avenue off-ramps, thence via the most appropriate streets to Wrigley Field.

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.

(End of Appendix A)

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