

ORIGINAL

Decision No. 63439

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 certificate
of public convenience and necessity to
operate a passenger stage.

)
Application No. 44214

O P I N I O N

By Decisions Nos. 59113 and 61862 applicant was authorized to operate a passenger stage service between points in San Bernardino County, on the one hand, and the Los Angeles Coliseum and Wrigley Field, on the other hand, only on a round-trip basis, when the Los Angeles Dodgers and the Los Angeles Angels baseball teams were playing at said locations.

A new baseball park will soon be opened at Los Angeles in Chavez Ravine, said park to be known as Dodger Stadium. Hereafter both Los Angeles teams will play their home games in Dodger Stadium; therefore applicant has requested that he be permitted to serve the new facility on the same terms and subject to the same conditions and restrictions as he was authorized to serve the Coliseum and Wrigley Field.

The matter is not controversial and as the proposal is in the public interest the Commission finds that public convenience and necessity require that the new service be established and operated as hereinafter set forth. The application will be granted. A public hearing is not necessary.

The decisions authorizing service to the Coliseum and Wrigley Field will be revoked.

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 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 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 one hundred twenty days after the effective date hereof, applicant shall establish the service herein authorized and file in the Commission's office in triplicate tariffs and timetables satisfactory to the Commission, which tariff and timetable filings shall be made effective concurrently with the establishment of the service and on not less than ten days' notice to the Commission and the public. The tariff and timetable filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs and timetables set forth in the Commission's General Orders Nos. 79 and 98.

3. The certificate of public convenience and necessity granted in paragraph 1 of this order supersedes the certificates of public convenience and necessity granted by Decisions Nos. 59113 and 61862, which certificates are hereby revoked, said

revocation to become effective concurrently with the effective date of the tariff filing required by paragraph 2 b hereof.

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

Dated at San Francisco, California, this 20th
day of MARCH, 1962.

Robert H. Page
President

John L. H. Hill

George T. Trover

Frederick B. Holliff

Commissioners

C. Lyn Fox
Commissioner....., being
necessarily absent, did not participate
in the disposition of this proceeding.

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 Dodger Stadium 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 the Dodger Stadium.
- (b) Applicant shall pick up and discharge passengers only at 24644 9th Street, San Bernardino, the California Hotel at 5th and "E" Streets, the Union Bus Depot at 279 No. "F" Street, in San Bernardino, the Ontario Travel Bureau in Ontario, and Dodger Stadium in Los Angeles.
- (c) Applicant shall operate the service hereinabove authorized only when the Los Angeles Dodgers or the Los Angeles Angels baseball teams are playing in Dodger Stadium.

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Appendix A

JACK A. ROESCH
doing business as
WESTERN TRAIL STAGES

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- (d) 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 9th Street, "E" Street 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 to Los Angeles, thence along the most direct and appropriate streets to the Dodger Stadium and return by the reverse of said route.

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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