

ORIGINAL

Decision No. 70672

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of

WARNER D. HARRIS

for Certificate of Public Convenience and Necessity to operate a Passenger Stage Service between the Gardena Club, 15446 South Western Avenue, Gardena, California, the Horse Shoe Club, 14305 South Vermont Avenue, Gardena, California, and various areas in Los Angeles County.

Application No. 48172
(Filed January 7, 1966)

O P I N I O N

Warner D. Harris, doing business as Harris Limousine Service, requests authorization to institute and conduct operations as a passenger stage corporation for the transportation of passengers between Los Angeles, West Los Angeles, South Los Angeles, Hollywood, Long Beach, and San Fernando Valley territories, as said territories are herein described on the one hand, and the Gardena Club and the Horse Shoe Club in Gardena, California, on the other hand, over and along the most direct or appropriate route or routes. Applicant does not possess any authority to transport passengers within the State of California.

Applicant proposes that the service shall be limited to the transportation of passengers who originate at or are destined to the Gardena Club or the Horse Shoe Club, in Gardena, California.

The requested authorized service territories are described in Appendix A attached hereto.

All passengers must be picked up and discharged at

points within the authorized service territories or at the Gardena Club or the Horse Shoe Club.

The proposed time schedules between the points to be served will be on an "on-call" basis, and the service is to be performed upon demand from the Gardena Club or Horse Shoe Club.

The proposed fares or rates to be assessed for this service, and the rules governing the same, are as follows:

RATES

Mileage Rates

One-way, each mile or fraction thereof	\$.55
Round trip, each mile or fraction thereof30

Time Rates

Hourly Rate	
Rate per hour	\$ 5.60
Daily Rate	
Rate per 10-consecutive hour day	50.00
Rate per hour in excess of 10 hours	5.00
Weekly Rate	
Rate per 7-consecutive day week	300.00
Rate per hour in excess of 10 hours each day	5.00

Minimum Charge

No charge shall be less than \$ 3.00

Rates are to be subject to the following special conditions:

1. Charges at mileage rates shall be computed at round-trip rates when origin and destination are identical or relatively close to each other.

2. Mileage and time charges shall commence with the initial passenger pickup and shall terminate with the final passenger discharge, except time delays caused by the applicant or his equipment.

3. Charges at hourly rates shall be based on units of one-quarter hour or fraction thereof.

4. Charges at mileage rates shall be based on units of one mile or fraction thereof.

5. The total charge for any vehicle shall be the applicable mileage charge, time charge or minimum charge, whichever is the greatest, plus special charges as applicable.

Applicant alleges that there is no direct transportation available between the various enumerated territories and the Gardena Club or Horse Shoe Club. Also, many of the persons being transported are traveling at late hours or on weekends when public transportation is provided on only limited bases. Thus, the Gardena Club and Horse Shoe Club have hired applicant for the purpose of providing readily accessible transportation to these persons for the various areas which are distant from the said clubs.

Copies of the application have been mailed to the Southern California Rapid Transit District, Gardena Municipal Lines, Department of Public Utilities, City of Los Angeles, and Los Angeles County Board of Supervisors who are the parties most likely to be affected, and no protests have been received. The Commission staff has reported favorably on the application.

The application describes eleven pieces of equipment which are to be used in the proposed service, and the financial statement attached to the amended application discloses that applicant had total assets of \$66,525, liabilities of \$14,239, and a net worth of \$52,286 as of the close of business October 31, 1965.

Upon consideration of the evidence, the Commission finds as follows:

1. Applicant possesses the equipment, personnel, and financial resources to institute and maintain the proposed service.

2. Public convenience and necessity require that the application be granted as set forth in the ensuing order.

A public hearing is not necessary.

Warner D. Harris, doing business as Harris 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, 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

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Warner D. Harris authorizing him to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the routes particularly set forth in Appendix A attached hereto and made a part hereof.

In providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

- (a) Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted. Applicant is placed on notice that, if he accepts the certificate of public convenience and necessity herein granted, he will be required, among other things, to comply with and observe the safety rules of the California Highway Patrol, the rules and other regulations of the Commission's General Order No. 98-A and insurance requirements of the Commission's General Order No. 101-A. Failure to comply with and observe the safety rules, or the provisions of General Orders Nos. 98-A or 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 tariffs and timetables, in triplicate, in the Commission's office.
- (c) The tariff and timetable filings shall be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and the public, and the effective date of the tariff and timetable filings shall be concurrent with the establishment of the service herein authorized.

- (d) 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-A.
- (e) Applicant shall maintain his accounting records on a calendar year basis in conformance with the applicable Uniform System of Accounts or Chart of Accounts as prescribed or adopted by this Commission and shall file with the Commission, on or before March 31 of each year, an annual report of his operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

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

Dated at San Francisco, California, this 10TH day of MAY, 1966.

Frederick B. Holdrege
President

George F. Prover

Alger

William B. Smith
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

/NB

Appendix A

WARNER D. HARRIS
doing business as
HARRIS LIMOUSINE SERVICE

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CERTIFICATE
of
PUBLIC CONVENIENCE AND NECESSITY

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

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.

Issued under authority of Decision No. 70672,
dated May 10, 1966, of the Public Utilities
Commission of the State of California, on Application
No. 48172.

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

Warner D. Harris, doing business as Harris Limousine Service, by certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers:

1. Between the Los Angeles, West Los Angeles, South Los Angeles, Hollywood, Long Beach, and San Fernando Valley territories, as said territories are hereinafter described on the one hand, and The Gardena Club, 15446 South Western Avenue, Gardena, and The Horse Shoe Club, 14305 South Vermont Avenue, Gardena, on the other hand, over and along the most direct or appropriate route or routes.

The authority granted is subject to the following conditions and restrictions:

- (a) Service shall be limited to the transportation of passengers who originate at or are destined to the Gardena Club or the Horse Shoe Club.
- (b) All passengers must be picked up and discharged at points within the authorized service territories or at the Gardena Club or the Horse Shoe Club.
- (c) The conditions under which the "on-call" service is to be rendered shall be shown in applicant's tariff and timetable.

Issued by California Public Utilities Commission.

Decision No. 70672, Application No. 48172.

SECTION 2. DESCRIPTION OF TERRITORIES

The territories within which Harris Limousine Service is authorized to name pick-up and discharge points are described and bounded as follows:

Los Angeles Territory

Beginning at the intersection of La Cienega and Olympic Boulevards, thence along Olympic Boulevard, Figueroa Street, Redondo Beach Boulevard, San Diego Freeway, La Cienega Boulevard to point of beginning.

West Los Angeles Territory

Beginning at Doheny Drive and Sunset Boulevard, thence along Sunset Boulevard, Pacific Coast Highway, Manchester Avenue, Freeman Boulevard, La Cienega Boulevard, Olympic Boulevard, Doheny Drive, to the point of beginning.

South Los Angeles Territory

Beginning at the intersection of Manhattan Beach Boulevard and Manhattan Avenue, thence along Manhattan Avenue, Hermosa Avenue, Harbor Drive, Pacific Avenue, Catalina Avenue, Palos Verdes Boulevard, Palos Verdes Drive West, Palos Verdes Drive South, 25th Street, Gaffey Street, Harbor Freeway, San Diego Freeway, Manhattan Beach Boulevard, to point of beginning.

Issued by California Public Utilities Commission.

Decision No. 70672, Application No. 48172.

SECTION 2. DESCRIPTION OF TERRITORIES (Continued)

Hollywood Territory

Beginning at the intersection of Los Feliz Boulevard and Vermont Avenue, thence along Los Feliz Boulevard, Western Avenue, Franklin Avenue, La Brea Avenue, Hollywood Boulevard, Fairfax Avenue, Sunset Boulevard, Doheny Drive, Olympic Boulevard, Vermont Avenue, to point of beginning.

Long Beach Territory

Beginning at the intersection of San Diego Freeway and Harbor Freeway, thence along the San Diego Freeway, Lakewood Boulevard, Pacific Coast Highway, 2nd Street, Livingston Drive, Ocean Boulevard, Long Beach Boulevard, Anaheim Street, Harbor Freeway, to point of beginning.

San Fernando Valley Territory

Beginning at the intersection of Franklin Avenue and Western Avenue, thence along Franklin Avenue, Hollywood Freeway, Ventura Boulevard, Topanga Canyon Boulevard, Devonshire Street (Route 118), Sepulveda Boulevard, Brand Boulevard, San Fernando Road, Golden State Freeway, Los Feliz Boulevard, Western Avenue, to point of beginning.

Issued by California Public Utilities Commission.

Decision No. 70672, Application No. 48172.