

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
JOHN SIMON for a certificate of  
public convenience and necessity to  
operate auto passenger transporta-  
tion service between Pasadena, San  
Gabriel, East San Gabriel and inter-  
section of San Gabriel Boulevard and  
Garvey Road and intermediate points.

Application No. 8749

Richard Ingoldsted for applicant.

Kidd & Hardy by Walter O. Schell for  
Dillingham Transportation Company, protestants.

BY THE COMMISSION:

O P I N I O N

John Simon has applied to the Railroad Commission for a certificate of public convenience and necessity to operate auto passenger transportation service between Pasadena and the intersection of San Gabriel Boulevard and Garvey Road, serving East San Gabriel and San Gabriel and other intermediate points between termini.

A public hearing herein was held by Examiner Williams at Los Angeles.

Applicant proposes service between a Pasadena terminal at Colorado Street and Pasadena Avenue, in the City of Pasadena, east on Colorado Street to San Gabriel Boulevard and thence southerly on San Gabriel Boulevard to its junction with Garvey Road. He offers a schedule with a headway of 40 minutes from each terminus using two center-aisle street-car type auto stages of 24 passenger capacity. This equipment is proposed to be en-

larged if need requires, applicant testifying that he could invest \$40,000.00 in the operation if justified. It is proposed to diverge westwardly from San Gabriel Boulevard at Broadway in the City of San Gabriel, to serve the business district of that city including the Old Mission and Mission Playhouse. Applicant testified that he expects 50 per cent of traffic to be to and from the Mission and Mission Playhouse, which are about midway between termini.

Fare between termini, a distance of 11.8 miles is offered at 20 cents, with a fare of 15 cents from each termini to San Gabriel.

Applicant supported his proposal with testimony of a number of witnesses that the service is needed. The entire distance traversed is now rapidly developing and has a tributary population of about 7500, about 4000 being in the San Gabriel City district alone. This population is without any north and south transportation. The business of most of these persons is in Pasadena or San Gabriel and the service proposed by applicant is to facilitate their intercourse. The support included formal indorsement by resolution by the Pasadena Merchant's Association, the City Directors of Pasadena, the Chamber of Commerce and Civic Association of Pasadena, the San Gabriel Chamber of Commerce, the East San Gabriel Business Men's Association and the Board of Trustees of the City of San Gabriel.

The application was protested by only one carrier, Dillingham Transportation Company. Opposition was based on the fact that the proposed service includes San Gabriel City, now served by protestant. This is the only conflict presented as applicants proposed service is over a route paralleling no other carrier, but furnishing connections with several including protestants. Protestant is giving two hour service to San Gabriel with through

cars to Montebello, Whittier and Long Beach by a routing through South Pasadena and Alhambra, and local service is only incidental. It appears that the service proposed by applicant will serve a distinctly different region and population than that of protestant, except between Pasadena and San Gabriel, and that this conflict with protestant will do little, if any, injury to protestant. This conclusion was stated by protestant at the hearing and no testimony was offered by protestant.

Applicant is an experienced operator having conducted a city stage line in Pasadena for more than five years. His financial showing was satisfying.

Applicant stipulated that he would accept no local traffic in Pasadena, except that destined to points south of Blanche Street, which is the southern boundary of Pasadena at San Gabriel Boulevard.

As no testimony was introduced by applicant to show a need of "package rates" on service as a part of the operation, as provided in the rates proposed, any such privilege should be withheld. Applicant proposes to transport hand baggage to a limit of 25 pounds free. He may file a reasonable rate for excess hand baggage only. This particularity is to prevent any claim of an express transportation right, which, we believe, is not applied for and which, under the testimony, should not be granted. With the exceptions noted the application should be granted.

#### O R D E R

John Simon having made application for a certificate of public convenience and necessity to operate auto passenger transportation between Pasadena, San Gabriel, East San Gabriel and intersection of San Gabriel Boulevard and Garvey Road, a public hearing having been held, the matter having been duly

submitted and now being ready for decision.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by John Simon of an automobile stage service for the transportation of passengers only over and along the following route:

Commencing at intersection of Pasadena Ave., and Colorado St., in City of Pasadena, east on Colorado St., to San Gabriel Blvd., south on San Gabriel Blvd., to East Broadway, E. San Gabriel, west on Broadway to Junipero St., San Gabriel proper, south to Mission Drive, west to Santa Anita St., north on Santa Anita St., passing the new "Mission Theatre", to Broadway, and east on Broadway to San Gabriel Blvd., south on San Gabriel Boulevard to Garvey Road. Total distance is 11.8 miles.

And that a certificate of public convenience and necessity be and the same hereby is granted therefor, upon the following conditions:-

- I. - That applicant, John Simon, shall file within fifteen (15) days from date hereof, his written acceptance of the certificate herein granted, and shall file within thirty (30) days of the date hereof, duplicate tariff of rates and time schedules, in accordance with General Order No. 51 of the Railroad Commission, and shall begin service within sixty (60) days from date hereof.
- II. - That applicant, John Simon, shall not sell, lease, assign or discontinue the service herein authorized, unless such sale, lease, assignment, or discontinuance shall have been authorized by the Railroad Commission.
- III. - That no vehicle shall be operated by applicant unless such vehicles are owned by said applicant, or are leased under an agreement satisfactory to the Railroad Commission.
- IV. - The certificate hereby granted does not include the transportation of packages or express and is confined solely to the handling of passengers and hand baggage.

Dated at San Francisco, California, this 24<sup>th</sup> day of

April, 1923.

C. Seavey  
H. B. ...

J. F. Whittier

Commissioners.