

Decision No. 12698

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
B AND E TRANSPORTATION CO., for
certificate of public convenience
and necessity to extend present ser-
vice to that of serving the territory
between Long Beach and Atlantic
Boulevard Square.

ORIGINAL

Application No. 9253

John H. Betts, Jr., for Applicant.
C. W. Cornell and H. O. Marler for Pacific
Electric Railway, Protestant.
Kidd and Hardy, by H. W. Kidd, for Dillingham
Transportation Company, Protestant.
J. D. Wolverton for Compton Transportation
Company, Protestant.

BY THE COMMISSION:

O P I N I O N

B. and E. Transportation Company, a corporation,
operating in the City of Long Beach, has made application
to the Railroad Commission for a certificate of public con-
venience and necessity to extend the present service be-
tween Long Beach and Atlantic Boulevard Square, about four
miles north of the city of Long Beach.

A public hearing herein was conducted at Long Beach
by Examiner Williams.

Applicant proposes to operate from the city of Long
Beach over Long Beach Boulevard to a suburban section known
as Atlantic Boulevard Square. It is proposed to charge a
fare of 20 cents one way and 35 cents for round trip. Ser-
vice is offered hourly in each direction, between 6:30 A.M.

and midnight. Applicant proposes to use the standard type of equipment that it now uses in a large operation over the streets of Long Beach, under municipal authority. Applicant produced no witnesses as to the necessity for the service proposed, except its own officers. Applicant stipulated to take no passengers from any point within one-half mile of Long Beach Boulevard, and to make no stops except at points one-half mile or more distant from the same thoroughfare. The district sought to be served is being developed and many homes have been built in the tracts that have been opened. Applicant estimated that there are 1800 families to be served that are now without transportation, but this estimate was seriously disputed by protesting carriers.

The application was opposed by Dillingham Transportation Company and Compton Transportation Company, on the ground that adequate service by each is already supplied, and that any demand or need for additional service will be met by either carrier, when found. Protest of Pacific Electric Railway was withdrawn when applicant stipulated to limit his service to points one-half mile or more east of Long Beach Boulevard.

By stipulation, route and territory were viewed by the Examiner and the parties present, to determine the apparent number of families more than one-half mile from available transportation. The area sought by applicant does not appear to have in excess of fifty houses that are inconveniently distant from the service of protestant Compton Transportation Company, and there is no showing by applicant that there is any demand by any of these residents for stage transportation; nor does it appear that this operation, conducted solely for a small number of people, would be self-sustaining for a long time in the future.

Protestant Compton Transportation Company estimated that 500 or 600 people are in the neighborhood of their service along Long Beach Boulevard, and that these people have made no complaint as to the service of protestant, or any demand for increased service. This protestant agreed at any time to supply any additional service necessary. Similar offers were made by Dillingham Transportation Company, which operates east of Long Beach Boulevard along Downey Road and immediately south of the territory sought by applicants.

In view of all the testimony presented, it is our opinion and we so find as a fact, based upon the evidence herein, that public convenience and necessity do not require the establishment of the service proposed by applicant, and that the application herein, therefore, should be denied.

O R D E R

B. and H. Transportation Company, having made application to the Railroad Commission for a certificate of public convenience and necessity to operate an automobile passenger service between Long Beach and Atlantic Boulevard Square tract, a public hearing having been held, and 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 do not require the operation herein as proposed by applicant, and that the application herein

be and the same hereby is denied.

Dated at San Francisco, California, this 13th day
of October, 1923.

C. Seaver

Dwight Mattain

J. T. Whittney
Commissioners.