

Decision No. 13478

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
W. R. WEBB for a certificate De-)
claring that public convenience and) Application No.10230
necessity require the operation of)
an Auto Bus Line)

Tanner, Odell & Taft, by H.W.Taft,
for applicant

H.W.Kidd and W.O.Shell, for
Motor Transit Company, protestant.

ORIGINAL

BY THE COMMISSION:

O P I N I O N

W. R. Webb has made application to the Railroad Commission for a certificate of public convenience and necessity to operate an auto bus line between certain termini in the County of Los Angeles.

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

Applicant proposes to establish service with one 20-passenger vehicle between the terminus of the Stephenson Avenue car line of the Los Angeles Railway just west of Pasadena Avenue at its junction with Whittier Boulevard and the new town site of Bardini, a distance of approximately 2-1/2 miles. To reach Bardini applicant must traverse

Pasadena Avenue and Telegraph Road to the junction between the latter and Atlantic Avenue. From this point a loop service is to be maintained through the tract returning from Atlantic Avenue over the same route to the street car terminus. The service is intended to convey passengers living along Telegraph Road and those living in and soon to live in the Bandini town site to the street car terminus, and is essentially an extension of this street car service. The fare to be charged is 5 cents in either direction and the schedule at the beginning is to be hourly beginning at 7:00 a.m. at the Bandini terminus and 7:30 a.m. from the car line terminus. Applicant proposed to conduct the operation by the employment of E. H. Hightower on a weekly compensation of \$75.00 Applicant at the hearing amended this portion of the application by eliminating all such employment and agreeing to lease or purchase the vehicle of Hightower and employ him as a driver, thus bringing the operation within the proprietary control of the applicant.

No service is now maintained to the Bandini tract, but the service of protestant Motor Transit Company along Pasadena Avenue and Telegraph Road is available by a walk of from a mile to a half mile to the junction of Atlantic Avenue and Telegraph Road. The Motor Transit Company maintains frequent schedules as a part of its through service between Los Angeles and points east of Los Angeles over this route and some of its service is restricted from taking local passengers. The fare charged by this protestant between any point is 15 cents which is the fare between Atlantic Avenue and Telegraph Road and the terminus of the Motor

Transit Lines within the City of Los Angeles. Commutation fares upon a 60-ride individual or family 30-ride basis may be procured for 8 cents from this protestant.

Applicant produced several witnesses who showed the population of the area to be served and its probable growth in the immediate future. At Bandini, school authorities are erecting a schoolhouse to care ultimately for 800 children. At present there are but thirty houses in Bandini and only eight are occupied, but it was the testimony of applicant, who is interested in the tract, that the lots have practically all been sold and that the lack of transportation facilities is preventing larger building operations than are now being conducted. Witnesses produced by applicant included Clarence Graham, who is now building in the Bandini tract, Gilbert N. Fay, a resident of the tract, and D. H. Hightower, who is now using his vehicle giving free service between the car line terminus and Bandini. In general it was their testimony that the service provided by the protestant Motor Transit Company is frequently not available because of full cars and that the individual rate charged, while satisfactory to many going to Los Angeles, is not satisfactory to residents who wish to go to the stores on Telegraph Road or near the car line terminus. It was the testimony of witnesses that several times vehicles of the protestant Motor Transit Company had been required to pass them on the road not having seats, and on one occasion witness Hightower testified that five busses had passed him. On two occasions witness Fay had been passed, for similar reasons, by the busses of this protestant. Witnesses estimated that there are 250 families

along the route proposed by applicant that would make some use of this service daily. In addition it was shown that many factories are locating in the industrial section contiguous to this territory, and that this service would accommodate those who wished to live near the new industries in which they are employed.

While the testimony in this matter would not meet the test of sufficiency as to necessity for a much larger and more competitive operation, we deem that applicant has made a sufficient showing to justify the issuance of a certificate as applied for. In several instances this Commission has authorized similar short distance services from street car terminus in and about Los Angeles and in all except one or two cases the operations have been adjusted to public needs and are maintained profitably and with satisfaction to the public. This operation is of the same type and seeks to serve a region that is rapidly developing and which is without other transportation except the through distance service of protestant Motor Transit Company which we cannot find from the testimony is suitable for the needs of the public to be served by applicant's proposed operation. The service proposed will connect with a line of the Los Angeles Railway which entitles patrons of its lines to transfer to any other line within the city, thus enabling workmen to reach any destination in the city with reasonable speed and at a maximum fare of 10 cents. To require this region to pay a greater fare to a through distance line which cannot bring the benefits of transfer privileges even at a higher rate is not consistent with beneficial regulation of public transportation.

We find as a fact, therefore, on the record herein that public necessity and convenience require the operation proposed by applicant herein and that a certificate therefor should be granted.

ORDER

W. R. Webb, having made application to the Railroad Commission for a certificate of public convenience and necessity to operate an auto bus line,

THE RAILROAD COMMISSION STATE OF CALIFORNIA hereby declares that public convenience and necessity require the operation by applicant of an auto bus line over and along the following route:-

Between the terminus of the Stephenson Avenue car line of the Los Angeles Railway just west of Pasadena Avenue at its junction with Whittier Boulevard and the new town site of Bandini, a distance of 2-1/2 miles approximately,

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

- (I) That applicant 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 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.

Dated at San Francisco, California, this
27th day of August 1924.

C. Seavey

H. K. Bonding

Isaac Martin

Ernest Shore

F. Whitney