

Decision No. 14243

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of J. H. LORD for a certificate of public convenience and necessity to extend his present auto stage service between Pasadena and Pomona so as to serve locally between Glendora and Monrovia, Glendora and Duarte and Glendora and Azusa.

Application No. 9914

Rollin L. McNitt, for applicant,
C. W. Cornell and H. O. Marler, for
Pacific Electric Railway Co., protestant.

BY THE COMMISSION:

O P I N I O N

J. H. Lord has made application to the Railroad Commission for a certificate of public convenience and necessity to extend his present service for the transportation of passengers and their baggage between Pasadena and Pomona and to give local service between Monrovia and all intermediate points between Monrovia and Azusa and points beyond Azusa, to and including Glendora, and to give local service between Azusa and Glendora and all intermediate points between Azusa and Glendora.

A public hearing on this application was conducted before Examiner Satterwhite at Los Angeles, the matter was submitted and is now ready for decision.

Applicant proposes to charge fares in accordance with amended Exhibit "A" attached to said application and to operate on the same time schedule between the several points to be served, as

now on file with this Commission, and will also use the same equipment now being used in his operation over his present route.

The Pacific Electric Railway Company protested the granting of said application.

Applicant now operates an authorized stage service between Pasadena and Pomona, serving as intermediate points LaVerne, San Dimas, Glendora, Azusa and Monrovia, together with the right to serve locally between Azusa and Monrovia and intermediate points.

Applicant testified in his own behalf and called several other witnesses in support of his application.

The evidence shows that the residents on both sides of the Foothill Boulevard between Azusa and Glendora, and particularly on the south side of it, desire this proposed service. It was shown that the territory between Monrovia and Glendora is rapidly developing and that in the past year at least thirty-five new homes have been built on or near the Foothill Boulevard in this section. The rail line of the Pacific Electric Railway Company parallels the Foothill Boulevard on the north between Monrovia and Glendora at a distance varying from one-quarter to one-half mile and there is much complaint by the residents that the walking of this distance causes them considerable inconvenience, delay and loss of time.

The Union High School is located between Azusa and Glendora on the south side of the Boulevard and many pupils attending this school make frequent requests for passage on applicant's stages. The record further shows that the drivers of applicant's stages have on an average four requests daily to be carried to and from various points between Monrovia, Glendora and other points along this stage route.

After careful consideration of all the evidence, we are of the opinion and hereby find as a fact that the proposed extension of said applicant should be granted.

O R D E R

A public hearing having been held in the above entitled application, the matter having been duly submitted and being now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the establishment of the service proposed by said applicant herein between Monrovia and all intermediate points between Monrovia and Azusa and points beyond Azusa, to and including Glendora, and also between Azusa and Glendora and all intermediate points between Azusa and Glendora, over and along the Foothill Boulevard; not as a separate operative right, but as an extension of and supplemental to applicant's present operative rights between Pasadena and Pomona.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for the foregoing service be and the same is hereby granted, subject to the following conditions:

1. Applicant shall file his written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof; shall file, in duplicate, tariff of rates and time schedules identical with those filed as Exhibits "A" and "B" attached to the application herein within a period of not to exceed twenty (20) days from date hereof; and shall commence operation of the service herein authorized within a period of not to exceed thirty (30) days from date hereof.

2. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.

3. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 22 day of November, 1924.

CL. Harvey
H. B. Brundage
Irving Martin

Commissioners