

Decision No. 14884

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of STIMSON TRANSIT COMPANY, By)
J. B. Stimson, Owner and Manager,)
for certificate of public conven-)
ience and necessity to operate)
passenger busses for the transpor-)
tation of passengers for compensa-)
tion between points hereinafter)
designated, upon the highways of)
the State of California, at and)
within the County of Los Angeles.)

APPLICATION NO. 10448

ORIGINAL

In the Matter of the Application)
of LOS ANGELES RAILWAY CORPORATION)
for a certificate of public conven-)
ience and necessity to operate)
motor busses for the transporta-)
tion of passengers along a portion)
of Florence Avenue from the City)
of Los Angeles to the City of)
Huntington Park.)

APPLICATION NO. 10593

R. A. Newell, for Stimson Transit Company,
Applicant and Protestant.
S. M. Haskins, for Los Angeles Railway Corporation,
Applicant and Protestant.
C. W. Byrer, for Florence Chamber of Commerce,
Interested Party.
Harry L. Cohen, for District West of San Pedro,
Interested Parties.
R. J. Phelps, for Tract 2599 Improvement Asso-
ciation, Huntington Park,
Interested Parties.
S. L. Killdall, for District West of Western
Avenue,
Interested Parties.
J. O. Marsh, for Board of Public Utilities, City
of Los Angeles, Interested Party.
C. W. Clegg and W. D. Cochran, for Southwest
Realty Board, Interested Party.

BY THE COMMISSION.

O P I N I O N

Under date of October 29, 1924, this Commission issued

its decision No. 14223 on Application No. 10448, granting to J. B. Stimson, operating under the fictitious name of Stimson Transit Company, a certificate of public convenience and necessity authorizing operation of automotive passenger service between the cities of Huntington Park and Los Angeles via Florence Avenue. On November 8, 1924, a petition for rehearing was filed by Los Angeles Railway Corporation, which petition for rehearing was granted by this Commission on November 21, 1924. Reopening of the matter was also asked by the Los Angeles Board of Public Utilities.

On November 8, 1924, Los Angeles Railway Corporation filed its application for a certificate of public convenience and necessity authorizing automotive transportation service between Huntington Park and Los Angeles, via Florence Avenue.

Hearings on both matters were held by Examiner Williams at Los Angeles on December 4 and 10, 1924, at which time, by stipulation of all parties, the matters were consolidated for receiving testimony and for decision, being duly submitted and now being ready for decision.

Stimson Transit Company proposes operation from a terminus at Belgrave Avenue and Pacific Avenue, Huntington Park, south on Pacific Avenue to Florence Avenue, thence west on Florence Avenue to San Pedro Street, thence south on San Pedro Street to a terminus at 78th Street in the city of Los Angeles. A portion of Florence Avenue is in the unincorporated portion of the county of Los Angeles.

Los Angeles Railway Corporation proposes, by amendment to its application filed December 9, 1924, to conduct a similar operation over the same route, except that its Huntington Park terminus is fixed at Zoe Street, four blocks south of the terminus proposed by Stimson Transit Company, and extends west beyond San Pedro Street on Florence Avenue to Moneta Avenue, and omits service on South San Pedro Street, where the Los Angeles Railway Corporation now maintains bus service as far as Manchester Avenue, one mile south of Florence Avenue.

Stimson Transit Company proposes a 6-cent fare (4 cents for school children), as against a 5-cent local fare (10 cents, including transfer to other connecting rail or bus lines of applicant) by the Los Angeles Railway Corporation. No transfers for a local fare are proposed, except by the Los Angeles Railway Corporation to and from its South San Pedro Street bus line, between Florence Avenue and Manchester Avenue only.

Stimson Transit Company proposes equipment of the Ford type, with 15-passenger street-car type bodies. Los Angeles Railway Corporation proposes to use its standard equipment of 25- or 29-passenger busses. Schedules of operation proposed by each applicant provide ample service for the population to be served.

Discussion of the testimony as to the necessity for the establishment of service is unnecessary, as such need has been fully established. The question is, which of the two

proposals will bring most benefit to the public affected. Either service would connect with rail lines of the Los Angeles Railway Corporation in Huntington Park and in Los Angeles, and it is such connections with universal transfers that have been sought by the population requiring service. We believe it reasonable to expect large transportation systems like that of Los Angeles Railway Corporation to establish auxiliary service to their own lines within the territory for which they are reasonably responsible, and not to leave this service to be performed by independent operators, less able to sustain initial losses or to provide adequate service; and, also, to co-ordinate the schedules of bus and rail service to the advantage of the public.

While the Commission believes this principle is applicable in the situation presented in this proceeding, and the application of the Los Angeles Railway Corporation should accordingly be granted, there are additional factors supporting that Company's application. The equipment proposed by the Los Angeles Railway Corporation is superior and the rate less than that of Stimson Transit Company, and the route, while not passing through the business section of Huntington Park, terminates at the south of this section, due to the rule of the Trustees of Huntington Park excluding bus service in the congested business area. The route also connects with the bus lines of applicant Los Angeles Railway Corporation at Santa Fe Avenue and San Pedro Street, and with its rail lines on Pacific Avenue, Central Avenue and Moneta Avenue;

also with the Long Beach line of the Pacific Electric Railway, serving also Watts and Compton. Improvement of Florence Avenue west of Moneta Avenue would justify the extension of this service west to Western Avenue, where it would connect with the service of the Los Angeles Motor Bus Company, and, immediately, with the rail service of Los Angeles Railway Corporation at Hoover Street and Vermont Avenue. This extension was urged by parties at interest in this proceeding, but the condition of Florence Avenue between Moneta Avenue and Western Avenue, it appears, does not offer satisfactory operating conditions at this time.

We therefore find as a fact, upon the record herein, that public convenience and necessity do not require the establishment of service as proposed by applicant Stimson Transit Company; and we further find that public convenience and necessity do require the service proposed by applicant Los Angeles Railway Corporation. An order will be entered accordingly.

ORDER

J. B. Stimson, operating under the name of Stimson Transit Company, having made application to the Railroad Commission for a certificate of public convenience and necessity to operate passenger busses between Huntington Park and Los Angeles via Florence Avenue, 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 do not
require the service proposed by applicant herein; and

IT IS HEREBY ORDERED that Decision No. 14223 on
Application No. 10448 of this Commission, dated October 29,
1924, wherein applicant Stimson was granted a certificate for
the operation above described, be and the same hereby is
annulled and rescinded.

IT IS HEREBY FURTHER ORDERED that the application
herein be and the same hereby is denied.

Los Angeles Railway Corporation having made appli-
cation to the Railroad Commission for a certificate of pub-
lic convenience and necessity to operate motor busses for
the transportation of passengers over and along a portion of
Florence Avenue from the City of Los Angeles to the City of
Huntington Park, a public hearing having been held, the mat-
ter having been duly submitted and now being ready for de-
cision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
HEREBY DECLARES that public convenience and necessity re-
quire the establishment of the operation proposed by appli-
cant over and along the following route:

Commencing at the intersection of Moneta
Avenue and Florence Avenue in the City of Los
Angeles; thence easterly along Florence Avenue
to Pacific Avenue in the City of Huntington
Park; thence northerly along Pacific Avenue to
Zoe Street; and

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

- I. Applicant shall file its written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof; shall file, in duplicate, within a period of not to exceed twenty (20) days from date hereof, tariff of rates and time schedules identical with those as attached to the application herein; and shall commence operation of the service herein authorized within a period of not to exceed thirty (30) days from date hereof.
- II. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission has first been secured.
- III. No vehicle may be operated by applicant Los Angeles Railway Corporation unless such vehicle is owned by it or is leased under a contract or agreement on a basis satisfactory to the Railroad Commission.

For all other purposes, the effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 7th
day of May 1925.

H. B. Brundage
C. Seaver

George D. Squires

COMMISSIONERS.