

Decision No. 15267

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation by
the Commission regarding the operation
by B. R. FRASER of an automobile passenger
bus line from the intersection of Moneta
Avenue and Manchester Avenue; thence east
to Main Street; thence south on Main Street
to 120th Street; thence east on 120th Street
to South Park Avenue; thence north on South
Park Avenue to Manchester Avenue; thence
west to Moneta Avenue in the City and County
of Los Angeles, State of California.

CASE NO. 2149

W. W. Praul for B. R. Fraser, Respondent,
H. G. Weeks for Los Angeles Railway Corporation,
O. A. Smith for Pacific Electric Railway Company,
H. W. Kidd for D. B. Maurice and Frank Atkinson, a
co-partnership,
J. O. Marsh, for Board of Public Utilities, City
of Los Angeles.

BY THE COMMISSION -

OPINION

This is a proceeding initiated on the Commission's own motion to investigate the matter of the operation by B. R. Fraser of an automobile bus line in the City and County of Los Angeles under the authority contained in this Commission's Decision No. 14465 on Application No. 14053 as decided January 17, 1925.

The Commission under date July 23, 1925, issued its order instituting said investigation and ordered respondent, B. R. Fraser, to appear at a hearing to be had before Examiner Handford at Los Angeles on July 28, 1925, and to show cause why the investigation should not be made, and why the certificate heretofore granted should not be revoked and annulled, or such other action taken as might be found to be justified by this Commission.

Respondent, B. R. Fraser, duly appeared in response to the order to show cause, evidence was received in the matter of the

investigation, the matter was duly submitted and is now ready for decision.

It appears from the record herein that respondent, B. R. Fraser, entirely suspended all operation of the automobile bus line over the route in the City and County of Los Angeles for which authority was granted in the order as contained in this Commission's Decision No. 14465 on Application No. 10453, such suspension of operation and discontinuance of service having been effective on July 16, 1925, since which time no service has been rendered to the public over the route herein referred to, either by respondent or in his behalf.

The inability of respondent to continue the operation resulted from a number of causes among which were the condition of streets on the route, inadequate capital for the initial financing of the enterprise, and selection of a type of equipment which proved unsatisfactory for the service. The equipment was purchased on a lease contract basis and when the busses were repossessed by the vendors, respondent was unable to secure other equipment with which to continue the authorized operation. Respondent testified that he was financially unable to continue the operation as authorized and required by the certificate of public convenience and necessity heretofore granted by this Commission.

After full consideration of all the evidence in this proceeding we are of the opinion and hereby find as a fact that B. R. Fraser, respondent herein, has discontinued and abandoned service in the operation of a bus line as a common carrier of passengers over the route specified in this Commission's Decision No. 14465 on Application No. 14053, as decided January 17, 1925, in violation of the condition of the Commission's order that service should not be discontinued without the written consent of the Commission first having been secured; and that said respondent is unable to continue said operation.

O R D E R

A public hearing having been held in the above entitled proceeding, the matter having been duly submitted, the Commission being now fully advised and basing its order on the findings of fact as appearing in the opinion which precedes this order,

IT IS HEREBY ORDERED that the certificate of public convenience and necessity as heretofore granted by this Commission's Decision No. 14465 on Application No. 10453 authorizing B. R. Fraser to operate an automobile bus line as a common carrier of passengers over the following route -

"Commencing at the intersection of Moneta Avenue and Manchester Avenue, thence east to Main Street, thence south on Main Street to 120th Street, thence east on 120th Street to South Park Avenue, thence north on South Park Avenue to Manchester Avenue, thence west on Manchester Avenue to Moneta Avenue,"

all in the City and County of Los Angeles, be and the same hereby is canceled, revoked and annulled.

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

W. B. Brundage

George D. Squires

Leon Whitell
COMMISSIONERS.