

Decision No. 1493

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of GLENN W. BARNES for certificate)
of public convenience and necessity)
to operate passenger service between)
the intersection of Lorena Street)
and Whittier Boulevard, Los Angeles,)
and Central Manufacturing District,)
Maywood, California.)

APPLICATION NO. 12038.

Glenn W. Barnes, Applicant in Propria Persona.

J. B. Stimson, for Stimson Transit Company and
Stimson, Holbrook & Shuler, Protestants.

H. O. Marler, for Pacific Electric Railway Com-
pany, Interested Party.

H. G. Weeks, for Los Angeles Railway Corpora-
tion, Interested Party.

BY THE COMMISSION:

O P I N I O N

Glenn W. Barnes has made application to the Railroad Commission for a certificate of public convenience and necessity to operate passenger service between the intersection of Lorena Street and Whittier Boulevard in the city of Los Angeles, and the Central Manufacturing District in the city of Maywood, Los Angeles County.

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

Applicant proposes the establishment of a bus service between Whittier Boulevard in the city of Los Angeles south by

way of Lorena Street to Downey Road, south on Downey Road to District Boulevard, east on District Boulevard to Loma Vista Avenue, south on Loma Vista Avenue to 54th Street and east on 54th Street to Cudahy Avenue in the city of Maywood. The proposed service connects with the lines of the Los Angeles Railway at Whittier Boulevard and Ninth Street and serves the Union Pacific shops district, the Union Stockyards and the Central Manufacturing District, as well as the northern portion of the Maywood residential district. No service of any character now exists over or near the route proposed to be traversed.

Applicant's offer is based upon the need of the public for transportation between the car lines mentioned and the Stockyards and Central Manufacturing District, and also from the south of these districts north to connect with the car lines. Applicant proposes to use as equipment one 22-passenger vehicle, operating on a headway of one-half hour from 6:00 a. m. to 8:15 a. m. and hourly thereafter until 4:00 p. m., then half-hourly until 7:30 p. m., with two night trips, leaving the southern terminus at 9:00 and 10:30 p. m. and the northern terminus at 10:00 and 11:00 p. m. He proposes to charge a fare for any distance a passenger is transported.

Testimony in support of the need for the proposed service was given by Evan E. Cox of the firm of Filcher & Cox. Mr. Cox testified that this firm has sold more than 1,000 pieces of residence and industrial property in the region to be served; that there is a large hotel at the Stockyards, and many factories east and north of the Los Angeles River in the county of Los Angeles which draw their supply of labor from the city of Los

Angeles and from the district south of the Central Manufacturing District, a large part of which is in the incorporated city of Maywood. This witness also pointed out that the development of this section requires a large amount of labor in the construction not only of buildings but of public highways and other improvements, and that the proposed service would be useful to the public. Similar testimony was given by Gertrude Comstock of Fletcher & Comstock, owners of the hotel at the stockyards, and George M. Davis, a realtor.

Appearances were entered by the Pacific Electric Railway and the Los Angeles Railway, but neither expressed opposition to the proposed operation. The Pacific Electric Railway now operates a bus service from 20th Street and Long Beach Avenue in the city of Los Angeles to the stockyards, but this service is hourly, traverses an entirely different route from that proposed by applicant, and is not in conflict with the proposed operation. In addition, this bus service terminates at 5:30 in the afternoon.

Opposition to the establishment of the proposed service was made by J. B. Stimson, who, with Holbrook and Shuler, contemplate an operation from the Bell district south of Maywood via Cudahy Avenue to Fruitland Avenue, thence westwardly to the Central Manufacturing District. The routes of the two lines would thus parallel each other between Cudahy Avenue and Downey Road, but apparently the conflict is more imaginary than real. Protestants, if authorized to do so by this Commission, would serve such persons as wish to travel south and connect with either the Pacific Electric or the Los Angeles Railway lines in Maywood

or Huntington Park, while applicant's proposed service would be useful only to persons coming from points north of Fruitland Avenue or going to such points. In addition, it was stated by representatives of the Los Angeles Railway that the proposed bus line would form a connection with the Whittier Boulevard and Ninth Street east-and-west trolley lines, although without the privilege of transfer to or from either.

Applicant signified his readiness to acquire equipment and establish the service and maintain it even in the event that it should prove unprofitable at the outset. Computation of the prospective revenue from the operation for the distance to be traversed (3.8 miles) indicates that a patronage in excess of 50 per cent of the bus capacity would be required in order to take care of maintenance and operation, without any provision for depreciation or return on investment. Applicant testified that he understood this situation, but was prepared to sustain any loss incident to the operation for a number of months in the belief that ultimately it would prove profitable. We are of the opinion that the service proposed would be useful to the public and would be used, but whether it would ever be a financial success is questionable. However, as applicant understands the situation and expresses a willingness to assume pioneering losses, we believe the certificate applied for should be granted. An order accordingly will be entered.

O R D E R

Glenn W. Barnes having made application to the Railroad Commission for a certificate of public convenience and necessity

to operate passenger service between the intersection of Lorena Street and Whittier Boulevard in the city of Los Angeles, and Central Manufacturing District in the city of Maywood, and intermediate points, 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 require the establishment and operation of an automobile passenger service, as proposed by applicant herein, for the transportation of passengers between the intersection of Lorena Street and Whittier Boulevard in the city of Los Angeles, and the intersection of 54th Street and Cudahy Avenue in the city of Maywood, and intermediate points, over and along the following route:

Beginning at the intersection of Lorena Street and Whittier Boulevard in the city of Los Angeles, south on Lorena Street to Downey Road, thence south on Downey Road to District Boulevard, thence east on District Boulevard to Loma Vista Avenue, thence south on Loma Vista Avenue to 54th Street, thence east on 54th Street to Cudahy Avenue in the city of Maywood; 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 with this Commission, within twenty (20) days from date hereof, his written acceptance of the certificate herein granted; shall file, in duplicate, time schedules and tariff of rates identical with those as set forth in Exhibit attached to the application herein within a period of not to exceed twenty (20) days; and shall commence operation of the service hereby authorized within a period of not to exceed thirty (30) days from date hereof.
- II. The rights and privileges herein authorized may not be sold, leased, transferred nor assigned, nor service thereunder discontinued, unless the written consent of the Railroad Commission to such sale, lease, transfer, assignment or discontinuance has first been secured.

III. No vehicle may be operated by applicant under the authority hereby granted unless such vehicle is owned or is leased by applicant 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 16th
day of April 1926.

H. B. Brundage

C. Seaver

Leon Whitely

COMMISSIONERS.