

Decision No. 17589

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of MOTOR COACH COMPANY for an
order removing certain restric-
tions in C. R. C. Decision No.
9388, and permitting applicant to
operate its automobile stages lo-
cally between Santa Monica and
Redondo, California, and to con-
duct said operation in conjunction
with applicant's existing oper-
ations.

APPLICATION NO. 13205.

Herbert W. Kidd, for Applicant.

Forest A. Betts and C. E. Morlan, for
Pacific Electric Railway Company, Pro-
testant.

BY THE COMMISSION:

O P I N I O N

In the above numbered application Motor Coach Company petitions the Railroad Commission for an order removing certain restrictions upon service now maintained over its operations between Long Beach and Santa Monica, by which applicant may be enabled to furnish local service, with certain minor restrictions, between Redondo and Santa Monica.

Public hearings herein were conducted by Examiner Williams at Redondo and Los Angeles.

Applicant herein is the authorized successor of the Dillingham Transportation Company, which, under Decision No. 9388

of this Commission, was authorized to establish automobile passenger service between Long Beach and Santa Monica, but was restricted from doing any local business between Redondo and Santa Monica, except that applicant may serve El Segundo. In other words, applicant could receive, at any point south of Redondo, passengers destined to points between Redondo and Santa Monica inclusive, and could receive passengers within the same territory destined to points south of Redondo, but was restricted from transporting passengers between Redondo and Santa Monica or intermediate points, except El Segundo.

Applicant has maintained this service since 1921 under the restrictions thus imposed. In the present proceeding applicant asks that these restrictions be removed, and by stipulation with the Bay Cities Transit Company, agrees to carry no passengers locally between the Santa Monica terminal of applicant and 17th Avenue and Speedway in Venice, and by further stipulation with the West Coast Rapid Transit Company, agrees to conduct no local business between Redondo and Manhattan Beach, but in each case is permitted to receive and discharge passengers originating at or destined to other points on applicant's line. These stipulations removed opposition of the two carriers named and reduced protest to that of the Pacific Electric Railway Company, operating electric service locally between the points involved herein.

Applicant proposes to establish its present schedules, as shown in its Exhibit No. 3 filed at the hearing, and such additional schedules as traffic may require, and to charge the rates shown in its Exhibit "A" attached to the application, as

clarified by amendment filed at the time of hearing. Applicant proposes to use the 29-passenger safety coaches which are its standard equipment, and to provide such additional equipment of the same type as may be required. The ability of applicant to establish and maintain such service was not questioned at the hearing.

As to the need for the removal of the restrictions in question, applicant received the support of officials representing various Chambers of Commerce in the district affected, together with official resolutions passed by these organizations. The witnesses introduced were Carl L. Hyde, secretary of the Torrance Chamber of Commerce and acting secretary of the Harbor District Chamber of Commerce (composed of 60 commercial and civic bodies in the Fourth Supervisory District, embracing all the harbor region); Walter D. Newcomb, chairman of the traffic committee of the Venice branch of the Los Angeles Chamber of Commerce; E. A. Bradbury, secretary of the Redondo Beach Chamber of Commerce; Grange S. Thatcher, vice-president of the First National Bank of Hermosa Beach and director of the Hermosa Beach Chamber of Commerce; C. H. Salinas, postmaster at Hermosa Beach and an officer of the Hermosa Beach Chamber of Commerce; and Charles A. Bland, manager of the industrial and transportation bureau of the Long Beach Chamber of Commerce and traffic manager of the Harbor Department, City of Long Beach.

Through these witnesses the authorized resolutions in support of applicant were introduced as exhibits. In addition, each of the witnesses gave detailed reasons why the proposed service is necessary for the inter-communication of the beach

municipalities. In general, the chief reason given was inadequacy and inefficiency of the service maintained by the Pacific Electric Railway, together with the fact that applicant's stages now traverse roads connecting all the municipalities involved, but are forbidden to transport any passengers. The principal objections to the Pacific Electric service, as stated by these witnesses, are that it requires two changes in the journey from Redondo to Santa Monica - one change at Del Rey and another at Windward Avenue, Venice; that these changes are accompanied by delay; that the equipment used between Del Rey and Venice is obsolete, and that the roadbed and trackage in this distance are uncomfortable. The testimony of these witnesses, representing important commercial and civic bodies, was emphatic as to the need for the proposed service.

In addition to the witnesses mentioned above, Urban T. Thompson of Manhattan Beach, B. A. Olson of Venice, R. M. Terrill of Santa Monica, J. E. Haschke and L. S. Warburton of Redondo Beach, and Walter V. Young, a driver for applicant, testified in behalf of applicant.

Witness Thompson testified that he made frequent trips between Redondo and Sawtelle, and that to accomplish the journey it was necessary to make three changes of cars and spend two hours in covering a distance of approximately 16 miles. He testified that he usually waited half an hour for a connection at Del Rey and on an average of 15 minutes for a connection at Windward Avenue. (Applicant does not serve Sawtelle, which is a mile or more from Santa Monica.) This witness further testified that he had used the stages of applicant and had left

the stage at El Segundo "to buy a cigar" and had then reboarded the stage at El Segundo and completed the journey, paying separate fares for each distance. Such a trip, he testified, was made in three-quarters of an hour.

Witness Olson, who lives in the Del Rey section near that part of protestant Pacific Electric Railway's service between Del Rey and Venice, testified that the car used in this shuttle service is known as the "dinkey" and also as the "Toonerville Trolley"; that it is uncomfortable, that it is difficult of access because of the height of the roadbed, and that passengers use boards and boxes in order to reach the steps of the car; also that many parents have forbidden their children to ride on these cars because of a fear of accidents.

Witness Terrill testified to the delays at the junction points, as did witnesses Haschke and Warburton.

By stipulation the testimony of 24 additional witnesses in the same general tenor as that of the witnesses who were examined was placed in the record without any of the persons being called to the stand, the stipulation including the fact that these witnesses had not made an investigation of traffic conditions between Redondo and Santa Monica.

Don L. Campbell, traffic manager of the Pasadena - Ocean Park stage line, which connects with applicant's service at Santa Monica, testified that inquiries at their Pasadena terminal for transportation to Redondo Beach averaged four daily and were made almost hourly during the summer season.

John C. Rowan, agent for applicant company at Redondo, testified that the Pacific Electric ticket office, which is

opposite the bus terminal, is open from 8:00 a. m. to 5:00 p. m. daily except Sundays, when it is closed - a statement which was not disputed by protestant. Witness Rowan further testified that he had kept an accurate record of the inquiries received at the bus terminal for transportation between Redondo and Santa Monica and intermediate points, excluding El Segundo, and that between April 7 and September 17, 1926, 2443 such inquiries had been received.

A. L. Owens, secretary of applicant company, presented a number of exhibits comparing the scheduled operation of the Pacific Electric and applicant's present and proposed service, and showing the seat vacancies in the service between Redondo and Ocean Park. These records covered all the months of 1926 to September 30. According to this exhibit, about three-fourths of the seats are unoccupied. This witness testified that during all this period, except on one or two occasions, 29-passenger vehicles had been used in the service. He also testified that he believed two additional passengers per trip would change this portion of the operation from an unprofitable to a profitable basis, but that in his opinion, if the restrictions were removed, the increase in the number of passengers carried would greatly exceed this.

Protestant Pacific Electric Railway, through the testimony of C. E. Morlan, presented two exhibits showing schedule of operations as combined, and fares between all points. According to these exhibits a continuous journey between Redondo and Santa Monica may be made in from 56 minutes to an hour and 12 minutes, depending upon the schedule used. This time includes from 8 to 31 minutes spent in waiting at Del Rey and Venice junctions. Applicant's proposed time is about

45 minutes' continuous journey. Witness admitted that this showing was made up from three separate time tables and that the Company does not publish any time table which would inform the public of these through connections. The shuttle service between Del Rey and Venice is operated on approximately a half-hourly schedule and some of its connections with the other services are close. Protestant did not produce any witnesses to show that these schedules are maintained or that the connections are made as shown in the exhibit. The only testimony upon the efficiency of this scheduled operation was that of witnesses for applicant, who uniformly testified to longer waits and a longer time required to make the journey than this exhibit apparently shows.

It is urged by protestant that its operations provide 22 connections in each direction, and that a check made by it at Del Rey on October 20, 1926, showed that between 6:00 a. m. and 11:00 p. m. on that date only 48 passengers transferred at Del Rey to cars bound for Redondo. No check in the other direction was made. This indicates that about two passengers per trip used the shuttle service. It is also urged by protestant that applicant's schedule provides but six additional daily trips in each direction, with additional Sunday trips. It is noted that most of the trips proposed by applicant are between times of the schedule of protestant, and thus mean additional service; further, that all of applicant's proposed trips are continuous to destination in Santa Monica without change of equipment, and that applicant stands ready to furnish any additional schedules which may be required. In view of the overwhelming testimony that the service maintained by pro-

testant is not efficient, we can hardly regard the showing in protest as sufficient to offset the need shown by applicant's witnesses.

Consideration of the entire record herein and of the exhibits filed by the various parties forces the conclusion emphatically that the service maintained by the Pacific Electric Railway is not adequate and does not justify further maintenance of the restrictions imposed upon applicant's service in 1921. According to this record, the service maintained today by protestant is substantially the same as it was many years ago, the same equipment and the same roadbed between Del Rey and Venice being used. The testimony of many witnesses as to the extraordinary length of time required to make the journey between termini, sometimes almost two hours, including long waits at junction points, is uncontradicted by protestant. In addition, protestant offers no betterment of service at this time, although the record shows need of quicker transportation between the beach communities. Exhibit No. 16 presented by applicant discloses a present population of 89,366 in the territory of Santa Monica, Venice, Manhattan Beach, Hermosa Beach and Redondo Beach, these figures being based on estimates furnished by the Chambers of Commerce or city officials at each point; and there is also a large tourist population going from beach to beach, particularly during the summer season. Since 1921 this population has been forbidden to ride in the vehicles of applicant, on the theory that adequate rail service is being provided by protestant Pacific Electric Railway, although the vehicles of applicant traverse the streets and highways into and

connecting all the points named, and along the same route as the rail lines. The public is entitled to a choice of services.

We believe that under the showing made by applicant this Commission is justified at this time in removing the restrictions heretofore imposed, except as stipulated by applicant in protection of the local services of the Bay Cities Transit Company and the West Coast Rapid Transit Company. An order will be entered accordingly.

O R D E R

Motor Coach Company having petitioned the Railroad Commission for an order removing certain restrictions imposed in the Commission's Decision No. 9388, and permitting applicant to operate its automobile stages locally between Santa Monica and Redondo and to conduct said operation in conjunction with applicant's existing operations, public hearings 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 local service by applicant Motor Coach Company between Redondo and Santa Monica and all intermediates, as an enlargement of and in addition to its present authorized operations and as a part thereof, over and along the route fixed by said Decision No. 9388; provided, however, that applicant shall not conduct a local transporta-

tion business between its terminal in the city of Santa Monica and the intersection of 17th Avenue and Speedway in Venice; provided, however, that applicant shall be permitted to pick up passengers along its route at any intermediate point between its terminal in Santa Monica and the intersection of 17th Avenue and Speedway in Venice when said passengers are destined to any point on the lines of applicant, or its connecting carriers, south of said intersection in Venice, and that applicant likewise may discharge passengers at any point along its routes between said intersection in Venice and applicant's said terminal in Santa Monica when the origin of said passenger is any point on the lines of said applicant, or its connecting carriers, south of said intersection in Venice; and provided further, that applicant shall not conduct any local transportation business between Redondo and Manhattan Beach, or any points intermediate thereto; provided, however, that applicant will be permitted to pick up passengers at any intermediate point along its lines between Redondo and the intersection of applicant's present route with Rosecranz Avenue in the city of Manhattan Beach when said passengers are destined to any points along applicant's lines north of said intersection in Manhattan Beach or are destined to any point on the lines of applicant's connecting carriers; and that applicant may likewise discharge passengers at any intermediate point along its routes between the intersection of its present routes and Rosecranz Avenue in the city of Manhattan Beach and Redondo Beach when the origin of such passengers is any point along applicant's lines, or along the lines of its connecting carriers, north of said intersection in Manhattan Beach; and provided further, that applicant may

pick up passengers at any portion of its present routes between said intersection in Manhattan Beach and Redondo Beach when the destination of such passengers is Avenue "A" in Clifton, or any point south or east of Avenue "A", along the lines of applicant in its exercise of what were formerly known as the Dillingham operating rights; and that applicant may similarly discharge passengers at any intermediate point between Redondo Beach and said intersection in Manhattan Beach when the origin of such passengers is a point at or south or east of Avenue "A" in Clifton; and that applicant may similarly pick up passengers at any intermediate points along its said line between said intersection at Manhattan Beach and Redondo Beach when the destination of passengers is the intersection of Opal and Catalina Streets in Redondo, or any point east or south thereof along applicant's route to Torrance; and that applicant may likewise discharge in said intermediate territory between Redondo Beach and said intersection in Manhattan Beach any passengers that originate at the intersection of Opal and Catalina Streets in Redondo, or at any point east or south of same on applicant's Torrance line; and

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

- I. Applicant shall file with this Commission, within twenty (20) days from date hereof, its written acceptance of the certificate herein granted as an extension and enlargement of its present operating rights, and not as a new or separate right.

IT IS HEREBY FURTHER ORDERED that all portions of Decision No. 9388 on Application No. 6811 inconsistent with the

certificate herein granted are hereby cancelled and revoked.

The effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 10th day of November 1926.

H. P. Bunnings

C. S. Seavey

Frank Deeds

Leon O. Hill

COMMISSIONERS.