

Decision No. 18692.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of MOTOR TRANSIT COMPANY for an order permitting it (1) to re-route certain minor portions of its present automobile stage operations on its Eastern and Southern Division Lines; (2) in connection therewith to abandon for short distances certain portions of said existing routes; (3) for authority to operate for short distances over certain highways not now traversed by applicant in said operations, in order to make said re-routing effective; (4) for authority to resume certain automobile stage service formerly conducted by applicant between Downey and Norwalk; (5) for authority to merge all of said re-routing and restored service with, and to conduct the same in conjunction with, and as a portion of applicant's operation of its Eastern and Southern Divisions; and (6) for a finding and order that public convenience and necessity require all of same.

ORIGINAL

APPLICATION NO. 13676.

H. W. Kidd, for Applicant.

H. O. Marler, for Pacific Electric Railway Company, Protestant.

H. N. Blair, for Keystone Express, Protestant.

T. A. Woods, for American Railway Express, Protestant.

BY THE COMMISSION:

O P I N I O N

In this proceeding the Motor Transit Company has made application to the Railroad Commission for an order permitting

it to re-route certain of its services, to resume passenger service between Downey and Norwalk, and to merge all re-routed and restored service with its Eastern and Southern Divisions.

Public hearings herein were conducted by Examiner Williams at Los Angeles, at which time the matter was duly submitted and now is ready for decision.

Applicant proposes, by elimination and re-routing, and by the establishment of new lines, to effect a correction in its operating service that is estimated to reduce its road mileage approximately 16 miles per day, or a saving of 249 car miles per day, which, at the estimated cost of 28 cents per mile, is equivalent to a saving of approximately \$2,000 monthly. It is the purpose of applicant to benefit by these economies and to bestow the benefits upon improved service generally in its system. Specifically, the changes sought by applicant are:

(a) To re-route its Coyote Pass line, extending from Pasadena to Long Beach and acquired from the Dillingham Transportation Company, by abandoning the route on Fair Oaks, Columbia and Fremont Avenues to Garvey Road, a distance of 6.5 miles. This line will be re-routed via Los Robles and Garfield Avenue to Garvey Road, another authorized service acquired from Dillingham Transportation Company. From the junction of Garvey Road and Garfield Avenue, applicant desires a new certificate authorizing service running westwardly and connecting with Coyote Pass, a distance of 2.1 miles. Applicant also proposes to abandon its route on Pasadena Avenue from Floral Avenue and Ford Street to Telegraph Road, and to substitute therefor Ford Street from Floral Avenue to Telegraph Road. Ford Street is 1,000 feet east of Pasadena Avenue, passing through the center of Bel-

vedere Gardens, an unincorporated community of several thousand inhabitants, while Pasadena Avenue passes to the west of this territory and parallels a cemetery district providing no passengers. Testimony shows that during the month of April, 1927, only nine passengers transferred from this service to cars going in other directions. The effect of this change will be to give one line through from Pasadena to Telegraph Road over well-paved streets and through a populous territory, eliminating a dead operation which was restricted against local traffic mostly in its entire length.

(b) To abandon service on Garvey Road and San Gabriel Boulevard and Poplar Avenue to Montebello, a distance of 8.3 miles; also to abandon operation over Passon Boulevard between Whittier Boulevard and Telegraph Road, a distance of 4 miles. This does not affect passengers changing at Montebello for other points, but Rivera passengers will be required to walk about one-half mile to Telegraph Road. During the month of April, 1927, only 12 passengers were transported over this route. The service on this line is to be re-routed over the present route via San Gabriel, El Monte and Whittier. It represents abandonment of 12.3 road miles and a saving of 89 car miles per day, with apparently as good or better service to the public.

(c) To abandon Judson Road in the operation of the Whittier-Long Beach line via Los Nietos and Norwalk, a distance of 3.8 miles. This operation will be re-routed over Whittier Boulevard to Telegraph Road. Los Nietos is on the line of the Pacific Electric and is one-half mile from Telegraph Road. The testimony shows that during the month of April, 1927, seventeen passengers were transported from Los Nietos over this route.

(d) To establish a new operation over Painter Avenue from Whittier to Telegraph Road, a distance of 2.6 miles. This operation will form a connection permitting the routing of the lines indicated in paragraphs "b" and "c" into Whittier, without doubling back on the same road, and also will serve a well-populated territory, including Santa Fe Springs.

(e) To abandon an operation over Center Street and Somerset Street to Bellflower Road, a distance of 5.9 miles, and to re-route this service over Norwalk Road via Artesia Avenue to Bellflower, a distance of 4 miles. This change will save doubling car miles into Artesia.

(f) A new certificate for the operation of service between Downey and Norwalk, a distance of 4.8 miles. Applicant formerly conducted such service, but it was abandoned by authority of this Commission under Decision No. 7835. It is now the purpose of applicant to operate in connection with other services between these points.

(g) A certificate for the establishment of an operation between Anaheim and Garden Grove over Euclid Avenue, the new road to be traversed to be between Anaheim and Bolsa and connecting there with the main lines of applicant, operating from Santa Ana to Newport Beach and Long Beach.

From the testimony introduced by applicant as to its re-routing, which was principally by F. D. Howell, its vice-president and general manager, this re-routing appears to be an operating economy fully justified by the traffic involved and leaving no section without adequate service. The changes are principally required because of the fact that applicant acquired operations formerly conducted by the Dillingham Trans-

portation Company and the Crown Stages, and where abandonment is sought there was a restriction against local business to protect other carriers.

As to the establishment of service between Downey and Norwalk, applicant presented the testimony of Chas. E. Irish, president of the Norwalk Chamber of Commerce, W. O. Benstead, president of the Downey Chamber of Commerce, and Mrs. Allie Neal, all of whom testified as to the necessity for communication between the two communities. Other witnesses were available, but it was stipulated that their testimony would be practically the same as that presented by the witnesses who were examined.

As to the operation between Anaheim and Bolsa through Garden Grove, applicant was supported by the testimony of George W. Reid, secretary of the Anaheim Chamber of Commerce, George R. Reyburn, secretary of the Garden Grove Chamber of Commerce, E. J. Tobias, a merchant of Garden Grove, and W. M. Morrill, also of Garden Grove. It appears from their testimony that there are approximately 150 families residing between Anaheim and Bolsa, outside the towns of Garden Grove and Anaheim, who have no transportation service whatever at the present time.

Witnesses in support of the additional service between Whittier and Santa Fe Springs were Mrs. Eva Aldrich and Mrs. M. L. Ditzler, residing on Painter Avenue, over which the operation would pass. The testimony of these witnesses is sufficient, we believe, to justify the granting of a certificate for this new operation.

During the progress of the hearing each of the protestants withdrew its protest upon stipulation of applicant

that all rates affecting express would be subject to the ruling of this Commission in Application No. 11502, filed by Motor Transit Company, in which a uniform rate and weight base for all its express business over its entire system was asked.

After full consideration of all the testimony and exhibits filed by applicant herein, and in view of the withdrawal of all protest by protestants after being fully advised, and further in view of the affirmative testimony in support of the eliminations and additions to service as requested, we believe the application herein should be granted as prayed for. An order will be entered accordingly.

O R D E R

Motor Transit Company, a corporation, having made application to the Railroad Commission for an order authorizing certain abandonments, re-routings and new operations over its system in its eastern and southern divisions, 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 operation by applicant Motor Transit Company of automobile service for the transportation of passengers, baggage and express, between the points and over the routes hereinafter named, as follows:

Between Garvey Road and Garfield Avenue and Pasadena Avenue, via Garvey Road.

Over Painter Avenue from Whittier to Telegraph Road.

Between Downey and Norwalk over the Downey-Norwalk highway.

Between Anaheim and Garden Grove via Euclid Avenue.

Via Norwalk Road and Artesia Avenue to Bellflower; and

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

- I. Applicant Motor Transit Company shall file its written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof.
- II. Applicant shall file, in duplicate, within a period of not to exceed twenty (20) days from date hereof, tariff of rates and time schedules, such tariffs of rates and time schedules to be identical with those attached to the application herein, or rates and time schedules satisfactory to the Railroad Commission, and shall commence operation of said service within a period of not to exceed sixty (60) days from date hereof.
- III. 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.
- IV. No vehicle may be operated by applicant herein under the authority hereby granted unless such vehicle is owned by said applicant or is leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

IT IS HEREBY FURTHER ORDERED that applicant herein be and it hereby is authorized to abandon and discontinue operation of service for the transportation of passengers, baggage and express between Pasadena and Garvey Road via Fair Oaks, Columbia and Fremont Avenues; also between Floral Avenue

and Ford Street and Telegraph Road via Pasadena Avenue; also between Garvey Road and San Gabriel Boulevard and Poplar Avenue; also between Whittier Boulevard and Telegraph Road via Passon Boulevard; also between Whittier Boulevard and Telegraph Road via Judson Road, and also between Norwalk Road and Bellflower, via Center Street and Somerset Street.

For all purposes except as hereinbefore specified the effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 21st day of August 1927.

Leon Whittier
Howe & Lovett
M. A. Can
Commissioners.