

Decision No. 18716

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of MOTOR TRANSIT COMPANY, for a)
certificate of public convenience)
and necessity for the operation)
of a sight-seeing service between)
Los Angeles and Orange County.)

Application No. 13873.

W. H. Sanson and F. D. Howell, for Applicant.

Frank Karr, R. E. Wedekind and H. O. Marler,
for Pacific Electric Railway Company.

Norman E. Robotham, for Pacific Coast Motor
Coach Company.

BY THE COMMISSION:

O P I N I O N

This is an application under section 50½ of the Public Utilities Act for a certificate of public convenience and necessity to operate sight-seeing stages on a continuous sight-seeing trip from Los Angeles, through Orange County and return, having one terminus, namely, Los Angeles.

A public hearing was held before Examiner Vaughan at Los Angeles, at which time the matter was duly submitted, and is now ready for decision.

The route proposed is from Los Angeles to Long Beach via Downey; Coast Boulevard to Seal Beach, Sunset Beach, Huntington Beach, Newport, Balboa Beach and Laguna Beach, returning by way of Tustin to Santa Ana; Santa Ana to Orange via Main Street, in and out of Orange by Orange Street, Anaheim Road to Anaheim and Fullerton; Brea Road to Brea; Brea-La Habra Road

to La Habra; La Habra-Whittier Road to Whittier; Whittier Boulevard to Los Angeles. This route is proposed for the entire year except during the warm summer season in the months of June, July, August and September, when the route is to be reversed, the object being to traverse the warmer portions in the forenoon, since the heat is not as great then as it is in the afternoon. The busses will leave Los Angeles at 9:00 a.m., arriving at Laguna Beach at 11:30, leaving Laguna Beach at 1:00 p.m., arriving at Los Angeles at 4:00 p.m. The fare for adults is \$3.50, and for children under twelve years of age \$2.05, which includes the price of luncheon at Laguna Beach. The localities through which the trip will be made will be described by a guide, employed by the applicant, and the stages will be met at most of the above named points by members of the local chambers of commerce, who will point^{out} and describe the interesting features of their respective localities.

The service as above outlined was inaugurated on May 15, 1927, which was prior to the effective date of section 50 $\frac{1}{2}$ of the Public Utilities Act, and at which time no certificate of public convenience and necessity was required for such operation. During the last session of the Legislature section 2 $\frac{1}{4}$ was adopted, defining a transportation company so as to include sight-seeing operators, and the said section 50 $\frac{1}{2}$ was also passed, requiring such operators to obtain a certificate of public convenience and necessity prior to rendering such service. On July 29, 1927, the effective date of this latter section, applicant discontinued the above-described service until such certificate could be obtained.

It is shown from the operations from May 15th to the date of discontinuance that there was a substantial development in the patronage of the tour, numbering from about four passengers on the first day, to about twenty on the last. Ten witness-

es were called on behalf of applicant, all of whom testified as to the need of this service. Four of these witnesses, representing certain of the chambers of commerce of cities located in Orange County, testified to the effect that the service would undoubtedly be of great benefit to the County,--basing this opinion upon the results of the past operations of applicant. All of these witnesses testified that they had interviewed a number of the patrons of the line, and had received expressions from the latter to the effect that the trip was one of general enjoyment and enlightenment. The testimony of two witnesses operating travel tourist bureaus shows that there have been many requests for information regarding this trip. There is no other one-day tour from Los Angeles to Laguna Beach and return; in fact, there is no other sight-seeing tour covering the route proposed by applicant.

At the outset of the hearing Pacific Coast Motor Coach Company entered a protest to the granting of the application, but later withdrew the same and, through its Counsel, recommended that the application be granted. The Pacific Electric Railway Company, which appeared as an interested party, made a like recommendation through its Counsel.

The applicant commenced this service upon the request of the Secretarial Association of Orange County, the latter being desirous of having such service in order to advertise its County as to its general beauty and resources. It is our opinion that public convenience and necessity require the operation of the service in question. An order will be entered accordingly.

ORDER

An application, as above named and numbered, having been filed, a public hearing having been held thereon, the matter having been duly submitted, and being now ready for decision,--

IT IS HEREBY FOUND AS A FACT that public convenience and necessity require the operation by MOTOR TRANSIT COMPANY of a sight-seeing trip from Los Angeles through Orange County and return, having one terminus, namely, Los Angeles, over and along the following route:

From Los Angeles to Long Beach via Downey; Coast Boulevard to Seal Beach, Sunset Beach, Huntington Beach, Newport, Balboa Beach and Laguna Beach.

Return--

Laguna Beach to Santa Ana via Tustin, Santa Ana to Orange via Main Street, in and out of Orange by Orange Street; Anaheim Road to Anaheim and Fullerton; Brea Road to Brea; Brea-La Habra Road to La Habra; La Habra-Whittier Road to Whittier; Whittier Boulevard to Los Angeles.

With optional right to reverse route during hot summer months.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be, and the same is hereby granted to MOTOR TRANSIT COMPANY for such operations, subject to the following conditions:

1. Applicant shall file its written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof.
2. Applicant shall file, in duplicate, within a period of not to exceed twenty (20) days from the 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 the date hereof.

3. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.

4. No vehicle may be operated by applicant herein 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.

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

Dated at San Francisco, California, this 16th day of August, 1927.

C. Deane

Leon Whitell

W. S. R. R. R.

M. J. Carr
Commissioners.