

ORIGINAL

Decision No. 18828

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of J. H. LORD for a certificate of public convenience and necessity to change his present auto stage route between Pasadena and Pomona to provide a more convenient inter-change of passenger traffic at La Verne with the Pacific Electric Railway Company.

APPLICATION NO. 13937.

Forrest A. Betts, for J. H. Lord, Applicant.

Forrest A. Betts and H. O. Marler, for Pacific Electric Railway Company, Interested Party.

Kidd, Schell & Delamar, by W. O. Schell, for Motor Transit Company, Protestant.

BY THE COMMISSION:

O P I N I O N

Applicant herein, J. H. Lord, seeks authority from this Commission to divert from his route through the city of La Verne from Third Street a distance of 2000 feet to the Pacific Electric station, and returning the same distance to Third Street, for the purpose of delivering through passengers between Pasadena and points west of La Verne destined to points served by the Pacific Electric east of La Verne.

A public hearing herein was conducted by Examiner Williams at Los Angeles, at which time the matter was duly submitted and now is ready for decision.

Applicant operates under authority of this Commission a passenger stage line between Pasadena and Pomona and

certain intermediate points. This service is restricted from local business between La Verne and Pomona. On August 15, 1927, concurrence in joint rates between applicant and the Pacific Electric Railway became effective, whereby applicant delivers passengers intended for points east of La Verne, and vice versa, to the Pacific Electric for transportation to or from points on its line eastwardly as far as San Bernardino and Patton. Since the joint rate became effective, applicant has delivered his through passengers to the Pacific Electric Railway at Lincoln Boulevard, instead of the La Verne station, and in order to do this, Pacific Electric trains have been required to make an extra stop for such passengers. Applicant testified that since the joint rates became effective, more than 100 passengers have availed themselves of the through joint rate privilege. These rates, properly filed with this Commission, are somewhat less than the combination local rates on the two carriers, but not less than the rates of Motor Transit Company, protestant herein. Applicant desires the extension of his routing in order to deliver such passengers at the regular stop of the Pacific Electric at its station in La Verne.

Applicant testified that according to the schedules filed by him in July, effective August 15, direct connection is made with the Pacific Electric service, and that the waits required of passengers for connections run from three to fifteen minutes, except on one schedule, which terminates at Claremont, where the wait is 30 minutes. The convenience provided for passengers during these waits consists of an umbrella type station, with parallel seats - not a complete pro-

tection during rainy periods.

Applicant further testified that the granting of a certificate authorizing an extension of route in the city of La Verne would not mean any change of schedule or change of rates; that it would merely mean added service for the convenience of the traveling public. He also testified that he had received the approval of the public officials of La Verne to traverse the streets necessary in the extension.

The granting of the application was opposed by the Motor Transit Company, operating stage lines between Pasadena and Pomona and points east, on the ground that the diversion and joint rate concurrence between applicant and the Pacific Electric would divert traffic heretofore delivered by applicant to Motor Transit Company at its station at Pomona, for transportation to points east of Pomona, and would result in a serious loss of revenue.

F. D. Howell, vice-president and general manager of protestant company, testified that during the first seven months of 1927 the ticket office at Pomona had sold transportation tickets for applicant, amounting to \$1531.50, and that no part of this revenue was shared by protestant. No figures were produced by this witness to show that the establishment of joint through service with the Pacific Electric had affected the business of protestant. Applicant and Motor Transit Company occupy the same terminal at Pomona, but have no concurrence in joint through rates. Protestant did not produce any proof that the joint rate as established between applicant and Pacific Electric Railway had diverted or would divert any traffic from Motor Transit Company's lines east of

Pomona. In addition, applicant asserted his willingness to transport passengers to Pomona for delivery to the Motor Transit Company whenever such passengers selected this method of transportation. The tickets for both services, and also for Motor Transit Company's through service, are sold at the same terminals in Pasadena and Pomona. Applicant is also arranging to route his service so as to have complete contact with all Pacific Electric stations between Pomona and Pasadena.

Careful consideration of the matters presented by applicant and protestant does not disclose any good reason why the application herein should not be granted. On the contrary, it does disclose a very good reason why it should be granted, namely, the convenience of the public. Practically the only privilege applicant seeks is that of delivering passengers buying joint through tickets over his line and the Pacific Electric to points east of La Verne, at the point where they board the Pacific Electric cars. The protest presented by Motor Transit Company must be regarded as based on extremely remote grounds. We believe the application herein should be granted and an order will be entered accordingly.

#### O R D E R

J. H. Lord having made application to the Railroad Commission for authority to change his present auto stage route between Pasadena and Pomona to provide a more convenient interchange of passenger traffic at La Verne with the Pacific Electric Railway Company, a public hearing having been held, the matter having been duly submitted and now being ready for decision,

IT IS HEREBY ORDERED that applicant herein, J. H. Lord, be and he is hereby authorized to change his routing through the city of La Verne as follows:

Entering the city of La Verne at the westerly city limits as at present via Third Street, east via Third Street to D Street, south via D Street to Pacific Electric Railway station located at D Street and South Second Street, east via South Second Street to E Street, north via E Street to La Verne Road, thence easterly via La Verne Road to the easterly city limits, returning via reverse of this route.

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

Dated at San Francisco, California, this 23<sup>rd</sup> day of September 1927.

Ernest C. Cotts  
Deputy  
Leon Whitell  
Paul S. Patton  
M. A. Carr  
Commissioners.