

ORIGINAL

Decision No. 19160.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of (1) THOMAS R. CARPENTER (Inglewood Transit Line) for certificate of public convenience and necessity to operate (2) Stage Line Auto Service between Inglewood Terminal and Manhattan Beach from Queen & Market and thence south on Market to Manchester Avenue, thence West on Manchester Avenue to Eucalyptus Street, South on Eucalyptus to Arbor Vita, West on Arbor Vita to Inglewood Avenue, thence South on Inglewood to Center, thence West on Center to Terminal at Center & Manhattan Avenue, City of Manhattan Beach.

APPLICATION NO. 14150.

Ernest M. Mansur, for Applicant.

F. L. Perry, for City of Manhattan Beach, Interested Party.

Collamer A. Bridge, for D. B. Maurice, Protestant.

H. G. Weeks, for Los Angeles Railway Corporation, Interested Party.

Mrs. F. A. Martin, for Wiseburn Improvement Association, Interested Party.

J. Gordon Mills, Deputy City Attorney, for City of Inglewood, Interested Party.

BY THE COMMISSION:

O P I N I O N

Thomas R. Carpenter has made application to the Railroad Commission for a certificate of public convenience and necessity to operate an automobile service for the transportation of passengers between Inglewood and Manhattan Beach,

Los Angeles County.

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

Applicant now conducts a service, under authority of this Commission, (Decision No. 16213 in Application No. 12121) from the City of Inglewood to a point in Los Angeles County at the intersection of Belleview Avenue and Inglewood Avenue. The new operation proposed by applicant will follow the same route as his present operation but will continue south from the intersection along Inglewood Boulevard to Center Street and thence west on Center and other streets into the City of Manhattan Beach, serving the intermediate community of Wiseburn and several other smaller developments and rural population. Applicant proposes an hourly service from each terminal between the hours of 7:00 A.M. to 8:00 P.M. His Inglewood terminal will be at Queen and Market Streets and his Manhattan Beach terminal at Center Street and Manhattan Avenue. He proposes to use 23-passenger equipment and to furnish equipment necessary for an adequate service.

He proposes a single fare rate of 20 cents between termini and a round trip rate of 35 cents. Proportionate rates for intermediate points were also offered with a proviso, however, that he will transport no passengers in competition with his present service between Inglewood and the intersection of Belleview Avenue and Inglewood Boulevard but will receive passengers for points south of this intersection or

from points south to be discharged north of the intersection. In view of the fact that his fare from and to points south of this intersection will be 10 cents, while the local fare is 5 cents, makes the operation practically non-competitive.

Applicant has been engaged in the bus transportation business for eight years with success. Applicant was induced to undertake the service at the instance of the Chamber of Commerce of Manhattan Beach and with the co-operation of the Chamber of Commerce and Board of Trustees of the City of Inglewood, according to the testimony of Morton MacCormack. The basis of this demand from these bodies was the absence of direct communication between the two communities and the further fact that the establishment of direct communication would permit direct transfer to the system of the Los Angeles Railway and thus gain more rapid transportation to the southwestern part of the City of Los Angeles, where a great many of the beach city residents are employed, and also facilitate the transportation of students to the University of Southern California and other educational institutions in the southwest. The plan of operation and the service proposed appeared to be satisfactory to everybody participating in the hearing.

The applicant was supported by the testimony of George E. Delavan, Mayor of Manhattan Beach, Morton MacCormack, Secretary of the Manhattan Beach Chamber of Commerce, Mrs. Alice Martin, President of the Wiseburn Improvement Association, J. Gordon Mills, Deputy City Attorney of the City of

Inglewood, Robt. Haengti, a member of the City Council of Inglewood, J. L. Steinbarger, President of the Chamber of Commerce of Inglewood and several hundred other persons who were not called to the witness stand but who were present from both terminals and from Wiseburn for the purpose of adding their testimony to those of the officials presented. However, it was deemed unnecessary to accumulate such a mass of testimony as the reasons urged by the witnesses examined appeared ample in view of the absence of opposition. At present transportation between the two terminals is by a round about method of bus or electric railway, involving transfers and delays, the most direct route being by way of Hermosa Beach with transfer to and from Manhattan Beach.

It was estimated by the witnesses that the service proposed by applicant will serve 1,000 persons who now are at least from one to two miles from any other transportation; that it will be useful for the transportation of school children from districts not now supplied with free bus service; that it will form a direct and rapid communication between Manhattan Beach, a city of approximately 3,500 population, and Inglewood with a population of approximately 20,000 and occupying an important social and commercial position in the southwestern portion of Los Angeles County and that it will furnish rapid transit between both points and the southwestern portion of the City of Los Angeles.

Mr. J. Gordon Mills, representing the City Council of Inglewood, stated that that body had approved the service proposed.

The only opposition presented was from Mr. D. B. Maurice

operating, under authority of this Commission, a service between Redondo Beach and Hermosa Beach to Inglewood by way of Redondo-Riverside Boulevard and Hawthorne Boulevard. This opposition was directed wholly against the terminal in Manhattan Beach, selected by applicant herein, it being the same terminal as the one now used by protestant. Protestant urged that if the applicant were permitted to receive passengers at the same point where he has been taking them, it would seriously injure his business between Manhattan Beach and Inglewood via Hermosa Beach. Protestant asserted that he maintained operation between Manhattan Beach and Hermosa Beach, a distance of  $2\frac{1}{2}$  miles, for more than 2 years at a loss of 10 cents per mile of operation. Protestant stated that he operated four hundred car miles daily on this service which would mean a loss of \$40.00 daily. The showing was not supported by any records or figures and without such report the statement must be received with doubt as to its accuracy. The service alluded to by protestant is part of the service along the beach between Manhattan Beach and Redondo Beach, but even if its entire length, approximately six miles, were taken into consideration, it is inconceivable how this protestant could maintain this service at such a loss for more than two years.

Protestant further made no showing as to the number of passengers transported by him from Manhattan Beach to Inglewood and presented nothing that would aid in measuring any injury that might be done by the service proposed. We

must, therefore, regard his protest as without real merit.

Los Angeles Railway Corporation, while not opposing the application, urged applicant to discontinue his service at Belleview Avenue and thence turn easterly into the City of Hawthorne and connect with the Los Angeles Railway at this point. This applicant declined to do as the fare between Hawthorne and Inglewood on the Los Angeles Railway is 5 cents and this revenue would go to the support of his operation rather than to the railway. This interested party did not further urge the proposed modification.

A careful review of the record herein indicates that there is a genuine public demand for the service proposed to be established, although the record does not furnish the best opportunity to judge what patronage will be bestowed by the public.

We believe the certificate should be granted to the applicant with the understanding that he is pioneering a field not occupied and that the service, as proposed, may require readjustments from time to time to make it fit with the express public need. We also caution applicant that he must adhere strictly to the rules of the Commission in regard to the safety devices and other regulations, it appearing in evidence by his own admission that he does not carry fire extinguishers on his present equipment, does not carry indemnity insurance and does not comply in some other respects with the standard of operation.

#### O R D E R

Thomas R. Carpenter, operating under the fictitious name of the Inglewood Transit Line, having made application

to the Railroad Commission for a certificate of public convenience and necessity to operate an automobile service for the transportation of passengers between Inglewood and Manhattan Beach, a public hearing having been held, and 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 by applicant of the service proposed herein over and along the following route:

Between Inglewood Terminal and Manhattan Beach from Queen and Market and thence South on Market to Manchester Avenue, thence West on Manchester Avenue to Eucalyptus Street, South on Eucalyptus to Arbor Vita, West on Arbor Vita to Inglewood Ave., thence South on Inglewood to Center, thence West on Center to Terminal at Center and Manhattan Avenue, City of Manhattan Beach,

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 conditions:

1- Applicant shall file his 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 or 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 him 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 the date hereof.

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

Emmerson  
Beaver  
Leon Whipple  
Wm. D. Powell  
M. A. C.  
Commissioners.