

ORIGINAL

Decision No. 19360 .

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

_____)
 In the Matter of the Application)
 of the PACIFIC ELECTRIC RAILWAY)
 COMPANY, a corporation, for a)
 certificate of public convenience)
 and necessity to operate a period-)
 ical automobile stage service within)
 the City of San Bernardino in the)
 State of California.)
 _____)

Application No. 14,374.

C. W. Cornell and O. A. Smith,
for Applicant.

Kidd, Schell & Delamer, for
Motor Transit Co., Protestant.

BY THE COMMISSION:

O P I N I O N

Pacific Electric Railway Company, a corporation,
 has made application to the Railroad Commission for a certifi-
 cate of public convenience and necessity to operate automobile
 transportation as a common carrier of passengers between its
 depot in San Bernardino and the National Orange Show grounds
 outside the city limits. This service is to be maintained
 only during the orange show each year. By amendment filed
 before the hearing, applicant clarified and amplified its
 offer of service as follows:

That it is proposed to charge a one-way fare of
 six cents between termini; it is further proposed to operate

this line in connection with the local transportation service within the City of San Bernardino by issuing free transfers upon payment of such six-cent fare to or from street car lines within the local fare limits of the City of San Bernardino, as follows:

Arrowhead Line	-	Carey Avenue
Highland Line	-	Shay
Redlands Line	-	Tippecanoe
Colton Line	-	Richardson Street
Riverside Line	-	Pickering Park

It is further proposed to extend all fares applying on the Los Angeles-San Bernardino Line, Redlands-San Bernardino Line, Highland-San Bernardino Line, Highland-San Bernardino Motor Coach Line, Riverside Line and the Arrowhead Springs Line to include this bus line to or from the Orange Show without additional charge, and to coordinate this stage line with the other lines of the Pacific Electric System.

A public hearing herein was conducted by Examiner Williams at San Bernardino, February 11, 1928.

Through the testimony of Oscar A. Smith, passenger traffic manager of applicant, it was shown that National Orange Show attendance, transported over the lines of the Pacific Electric in 1927, aggregated 51,800 during the ten-day period the Show is open. Of this number, 16,600 received transfers to and from local service. These movements to the Orange Show were wholly by rail over "E" Street, terminating at Urbita Springs. The tracks on this street, at that time, paralleled the tracks of the Pacific Electric used by its Riverside-San Bernardino-Redlands through service, at a distance of not over 300 feet.

By Decision No. 18,857 on Application No. 13,675, applicant has been permitted to abandon its tracks and service to Urbita Springs. The tracks on "E" Street were torn up, the street paved with concrete to a width of fifty feet, form-

ing a direct automobile route between the commercial center of San Bernardino and the Orange Show grounds, a distance of less than one mile. It is by this street that applicant proposes to establish bus service, the return route being west on Mill Street and thence north on Arrowhead Avenue to Third Street and to applicant's depot.

Mr. Smith testified that all tickets sold at points outside of San Bernardino will be through to the Show grounds, including transfers, and that all travel inside the City of San Bernardino will have universal transfer with the local bus and rail lines of applicant, thus making possible a through fare of six cents from any part of the City, including transfer. Mr. Smith testified that such operation of rail and bus service will prove profitable, based on past and anticipated attendance at the Orange Show. Mr. Smith admitted that when the Urbita Springs line over "E" Street was taken up, it was the intention to use the Riverside-Redlands tracks in delivering passengers to the Orange Show, but that this method is found to be impracticable and disadvantageous for the following reasons:

That there is no passenger platform at Mill Street, and that Mill Street is not properly improved to care for pedestrians in bad weather;

That landing passengers at the track side at Mill Street will be dangerous, as they must walk 400 to 500 feet to the Show ground entrance through the automobile traffic of "E" Street; and that Mill Street, at the tracks, is not lighted at night;

That operation of trains would be seriously complicated by reason of a single track and an interlocking switch

at the Southern Pacific crossing of the Santa Fe track, at which point the Pacific Electric uses the Southern Pacific single track.

Because of these reasons, Mr. Smith said it had been arranged with the officers and directors of the Orange Show to establish special bus service as a coordinated part of its entire service, which service will actually enter the Show grounds and deposit passengers at the admission gates, and leave westwardly to return over streets not heavy in traffic. The service is also to enter the depot premises to receive and discharge passengers. He testified that applicant has fifteen or twenty 25-passenger vehicles available for this business.

Mr. Smith also admitted that special excursion party cars from points outside San Bernardino would be sent over the Redlands branch to Mill Street, but that the number of such cars would be negligible.

Applicant was supported by the testimony of John Anderson, County Supervisor and director of the Orange Show; Roy H. Mack, Secretary of the San Bernardino Chamber of Commerce and manager of the Orange Show; W. J. Hanford, City Councilman; Grant Holcomb, former Mayor of San Bernardino, director of the Chamber of Commerce and Chairman of its Transportation Committee; Harry S. Webster, publisher of the Sun and the Telegram, San Bernardino newspapers, and Ben L. Holmes, joint agent of the Union Pacific and Santa Fe lines at San Bernardino, and Chairman of the Transportation Committee of the Orange Show. The substance of their testimony was that the public, for many years, has become habituated to through service on the Pacific Electric to the Orange Show

and return, and that the continuity of the trip should be preserved; also that lack of continuity would decrease attendance and increase cost of transportation to the public. Mr. Webster explained that the 15,000 or more residents of San Bernardino who annually patronize the Show could do so at a round trip expense of twelve cents, including transfer, while if the bus service is not established, it would cost twenty-two cents, including five-cent fares via Motor Transit service, which has no municipal service in San Bernardino, and cannot receive or give transfers. He further emphasized the fact that Motor Transit operation on "E" Street would be confusing and hazardous, in that cars would move in both directions on this street and further congest traffic at Third and "E" Streets, the general transfer point. The proposed operation also received the unanimous approval of the City Council and a permit has been granted by the Board.

Motor Transit Company protested the application on the ground that Motor Transit will inaugurate and maintain bus service between its terminal in San Bernardino and the Show grounds, at a reduced rate of five cents one way (its regular fare is ten cents one way), with ample equipment of vehicles of twenty-five, or more, passenger capacity and schedules under ten minutes headway or more frequently. This operation is over protestant's authorized route between San Bernardino and Redlands. It proposes to follow Third Street from its own depot, past the depot of applicant, with schedules connecting with trains, and thence via "E" Street to the Show grounds, returning over the same route. Vehicles would be turned just south of Mill Street and outside the city limits of San Bernardino. This service has not been offered in previous

years and, while applicant questioned the right to establish such service, no proof was offered.

The National Orange Show is San Bernardino's greatest annual civic event and the largest opportunity for display by the citrus organizations of Southern California, according to R. H. Mack, its manager. He testified that it has been established eighteen years. Five years ago it was incorporated as a non-profit corporation, issued \$125,000. bonds and built the present spacious exposition building on land owned by the corporation. All surplus has been used in retiring bonds and enlarging facilities. An annual cash subscription of \$7,500. is made by San Bernardino citizens and, so far, this subscription has been refunded after the Shows. The corporate property, should the fixed purposes be abandoned, is to become the property of the City and the Chamber of Commerce. The attendance approximates 75,000 annually.

We have carefully considered the testimony herein, and find many reasons why the application should be granted as prayed for. To deny it would derange the plans of applicant and the Orange Show officers, to their probable injury, and would leave the public dependent on the service of protestant, which is untried for this purpose and not coordinated with other services and which also involves additional fares. In addition, the testimony shows that practically all of the traffic applicant proposes to transport on busses will originate on its own lines, both local and interurban, and that the bus service is conferred on the public without additional cost. Further, applicant has no other practicable or convenient or safe method of delivering its through passengers to destination in any large numbers. Protestant has not sought to coordinate

its service with other carriers or the Orange Show management; in fact, the knowledge of its proposed reduced fares was not made known to the Chamber of Commerce when it adopted its resolution supporting applicant (Exhibit No. 1), on February 10th, according to the testimony of R. H. Mack. We, therefore, believe the application should be granted, and an order, accordingly, will be entered.

O R D E R

Pacific Electric Railway Company, a corporation, having made application to the Railroad Commission for a certificate of public convenience and necessity to establish automobile passenger stage service between San Bernardino and the Fair Grounds of the National Orange Show, a public hearing 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 of such service during the periods when such National Orange Show is open each year, over and along the following route:

Beginning at Pacific Electric Station, San Bernardino, east on Third Street to "E" Street, thence south on "E" Street to Mill and "E" Streets; returning, east on Mill Street to Arrowhead Avenue, (the south half of Mill Street being in San Bernardino County and without the City of San Bernardino), thence north on Arrowhead Avenue to Second Street, thence west on Second Street to Pacific Electric Station, San Bernardino, and

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

(1) Applicant will file its acceptance of this certificate within ten (10) days from date hereof, accepting said certificate as an extension of its present operative

rights and not as a new or separate operation.

(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.

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 15th day of February, 1928.

Leon Whitell

C. Seacey

Paul Routin

M. J. Lee
Commissioners.