

DECISION NO. _____

ORIGINAL

Decision No. 5063-

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of WHITE BUS LINE, a corporation,)
for permit to extend its lines)
from Santa Ana to Anaheim.)

APPLICATION NO. 3271.

H. W. Kidd for Applicant.
L. S. Lewis for Valley Stage Line,
Protestant.
Clyde Bishop for Crown Stage Line,
Protestant.
G. E. Scott, City Attorney, for
City of Santa Ana.
E. S. Good for A. R. G. Bus Line.

LOVELAND, Commissioner.

O P I N I O N

White Bus Line, a corporation, requests that the Railroad Commission make its order declaring that public convenience and necessity require the operation of an automobile stage line as a common carrier of passengers and baggage between Anaheim and Santa Ana in the County of Orange.

A public hearing was held at Los Angeles on November 8, 1917, the matter was duly submitted and is now ready for decision.

White Bus Line, a corporation, applicant herein, is now operating an automobile stage line between the city of Los Angeles and the city of Anaheim via Whittier, La Habra, Brea and Fullerton, and desires to extend its service to the city of Santa Ana, the county seat of Orange County. Applicant proposes

to operate a daily schedule of twenty-nine trips Los Angeles to Santa Ana and twenty-eight trips Santa Ana to Los Angeles, and to use a sufficient number of automobiles, each with a carrying capacity of sixteen passengers, to accommodate the traffic offering between Los Angeles and Santa Ana.

Applicant desires to accommodate the through travel between Los Angeles and Anaheim and intermediate points to Santa Ana without transfer at Anaheim to the automobile stage line of the Crown Stages.

The portion of the proposed route between Santa Ana and Anaheim is served by the Crown Stages, owned by A. B. Watson. Passengers from Los Angeles to Santa Ana use the line of the Pacific Electric Railway or the line of the Atchison, Topeka and Santa Fe Railway direct to Santa Ana or the auto stage lines of the White Bus Line or the Valley Stage Line to Anaheim, there transferring to the stages of the Crown Stage Line. The Valley Stage Line operates two routes from Los Angeles to Anaheim; one via Clearwater and Buena Park, the other via Whittier, La Habra and Fullerton.

Both the Valley Stage Line and the White Bus Line are responsible companies operating large and comfortable passenger automobiles of special design and with seating capacity of fifteen passengers. Through passengers by auto stage between Los Angeles and Santa Ana are required to change at Anaheim to or from the cars of the Crown Stages and it was urged by the applicant's witnesses at the hearing that the public necessity and convenience required the issuance of a certificate by the Commission establishing a line that would enable passengers to go from Los Angeles to Santa Ana without transfer.

Protest was made by the Crown Stages on the basis that their business would suffer if the passengers now handled between Los Angeles and Santa Ana by the Valley Stage Line and the White Bus Line were to be diverted, leaving only the local passengers between Santa Ana and Anaheim to be carried by the Crown Stages and possibly cutting off also a portion of the local traffic now enjoyed between these points. The Valley Stage Line protested against the granting of a certificate for the reason that their line terminates at Anaheim and the through business would naturally go to a line offering satisfactory through service.

Both the White Bus Line and the Valley Stage Line have joint ticketing arrangements with the Crown Stages and the question of the ability of the Crown Stages to satisfactorily handle the traffic over the portion of the through route between Los Angeles and Santa Ana, which is covered by the cars operated by the Crown Stages between Santa Ana and Anaheim, coupled with the necessity for the establishment of direct through service, requires consideration in this proceeding.

At the hearing on this application it was stipulated by counsel for applicant and protestants that an investigation should be made by the Service Department of the Commission to determine the actual conditions existing as to the present travel between Los Angeles and Santa Ana and for the necessity for additional service as proposed by the applicant herein. This investigation required a careful examination of the records of the various companies to determine the volume of travel and the ability of the Crown Stages to handle the portion of the traffic between Santa Ana and Anaheim with their equipment.

The Crown Stages sell tickets, both one way and round trip, which are good from Anaheim to Los Angeles and intermediate points over either the line of the White Bus Line or the Valley Stage Line as passengers may elect. This results in no check being available as to the route selected by the passenger between Anaheim and Los Angeles until a settlement is made between the company selling and the company honoring the passenger's ticket for passage.

A check of the local business of the Crown Stages between Santa Ana and Anaheim was made for the period November 2 to 26, 1917, inclusive, with the following result:

				<u>One Way.</u>
Between Santa Ana and County Hospital				144
" " " "			Orange	401
" " " "			Sub Station	8
" " " "			Anaheim	2529
				<u>3082</u>

or an average of 123 per day; thirty round trips being made daily or an average of two local passengers per single trip.

A recapitulation of the business handled by the Crown Stages between Santa Ana and Anaheim during the periods checked by the Commission's Service Department is as follows:

Crown Stages local passengers	123 per day.
To and from White Bus Line	33 " "
To and from Valley Stage Line	13 " "
To and from Rose Stage Line	2 " "
	<u>171 per day.</u>

Total average per round trip	5-2/3
" " " single trip	2-5/6

The Crown Stages have in operation on the Santa Ana-Anaheim run three cars, each with a carrying capacity of ten passengers. In addition they have in reserve for emergencies or heavy traffic one fifteen-passenger and four ten-passenger cars.

It will be observed from the above that the carrying capacity of the Crown Stage equipment is ample to care for all the business offered locally between Santa Ana and Anaheim in addition to the through business.

At the hearing on this application the White Bus Line filed an exhibit showing for the period from July 10 to October 31, 1917, inclusive, a total of 4448 passengers handled in connection with the Crown Stages; an average of 39 passengers per day. This average is higher than that developed by the investigation of the Service Department of the Commission and the difference is accounted for by the fact that the applicant's exhibit covered a longer period and a portion of such period included the heavy travel of the summer months and the vacation season.

At the hearing petitions were filed by applicant bearing 219 signatures in favor of the application. Petitions were filed by the Crown Stages as protestant bearing 348 signatures stating that no serious inconvenience had been experienced by through passengers changing stages at Anaheim and that the service rendered by the Crown Stages was adequate, convenient and safe and that the petitioners did not consider that public convenience and necessity required the establishment of another stage line between Anaheim and Santa Ana.

Petitioners in their application base their request for a certificate of public convenience and necessity on the alleged fact that complaint has been made covering the character of equipment operated by the Crown Stages between Santa Ana and Anaheim and that better service will be given to the public by the operation of the larger type of equipment as used by the White Bus Line as well as eliminating any inconvenience that may be present in connection with a transfer at Anaheim to or from

the automobile stages of the Crown Stage Line.

Permits have been secured by applicant from the Board of Supervisors of the County of Orange and from the City of Santa Ana and the City of Anaheim in accordance with Section 3 of Chapter 213, Laws of 1917.

After careful consideration of all the evidence in this proceeding, I am of the opinion that the public necessity does not require the establishment of an additional automobile stage line between Santa Ana and Anaheim on the basis that the requirements of the through passenger from Los Angeles and intermediate points to Anaheim for continuation of the line are for the sole reason that a transfer at Anaheim would not be necessary. Unquestionably the public convenience would be somewhat served if a through line were to be established, but the necessity does not exist for the reason that the Crown Stages have adequate equipment to handle the traffic, their equipment is not used to capacity between these points and it is questionable if a sufficient amount of business would remain if another line were to be permitted to enter this field. As to the type of equipment, it was testified that the Crown Stages are able and willing to place equipment on the Santa Ana-Anaheim run of the same type as that now operated by the White Bus Line or the Valley Stage Line.

The Commission has received by petitions in this proceeding and also during its investigation of this application material assistance and information from many citizens in the locality and such information has been helpful and is fully appreciated as giving the Commission definite data upon which to determine the issue presented. In considering applications of this character the Commission fully recognizes the public demand

for passenger transportation by automobile stage service and for the necessity that such service be furnished by responsible companies who offer their patrons the best of facilities and the most modern and comfortable equipment. The Commission, however, cannot ignore the rights of established companies that have in good faith performed the service demanded by the public when such established companies are able and willing to serve the public need for transportation in a satisfactory manner and especially when it appears, as in this proceeding, that the existing company is able to satisfactorily care for all the business offering and that the volume of business is not sufficient to justify the establishment of a competing line.

I find as a fact that the public convenience and necessity do not require the establishment of another automobile stage line as a common carrier of passengers and baggage between Santa Ana and Anaheim and recommend that the application be denied.

Herewith the following form of order:

O R D E R

White Bus Line, a corporation, having petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation of an automobile stage line as a common carrier of passengers and baggage between Santa Ana and Anaheim, a public hearing having been held, the matter having been duly submitted and the Commission being fully advised,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity do not require the establishment of an automobile stage line as a common carrier of passengers and

baggage by the petitioner herein.

IT IS HEREBY ORDERED that this application be and the same hereby is denied.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 21st day of January, 1918.

Max Thelen
H. D. Loveland
Wm. G. Gordon
Edwin O. Edgerton

Commissioners.