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Decision No. 7759.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application)
of E. B. DILLINGHAM for certificate :
of public convenience and necessity to :
operate passenger service between :
Whittier and Pasadena, all in the) Application No. 5552
County of Los Angeles, State of :
California. :

Alfred E. Dennis for Applicant.
J. E. Merriam for John J. Horn and Chas. E. Painter.
O. A. Smith for Pacific Electric Railway Company
Chas. E. Cohn in propria persona.

BY THE COMMISSION.

ORDER

E. B. Dillingham has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile stage line as a common carrier of passengers between Whittier and Pasadena, Los Angeles County and intermediate points via Pico Station, Valley Boulevard, San Gabriel, Alhambra and South Pasadena.

A public hearing on this application was conducted before Examiner Satterwhite at Whittier on May 11, 1920, the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with the schedule marked Exhibit "A" filed with said application and to operate on a time schedule of three round trips daily using as equipment two 21-passenger busses.

The Pacific Electric Railway Company, John Horn and Chas. H. Painter co-partners and Charles E. Cohn protested the granting of this application.

At the time of this hearing, the application of Horn and Painter, Number 5552 and the application of Chas. E. Cohn, application Number 5460 had been heard before Examiner Gordon and were under submission to the Commission for decision. These applications of said protestants sought certificates to operate a passenger auto service between Pasadena and Long Beach and covered practically the same points.

This applicant, E. B. Dillingham, now operates an authorized auto passenger service between Long Beach and Whittier by way of Downey and Pico Station and at the hearing testified that this proposed service would be an adjunct to and extension of his present service between Long Beach and Whittier.

Applicant called witnesses who testified to the public necessity of this proposed service. The said protestants Horn and Painter, and Chas. E. Cohn admitted at the hearing that there was public need for a passenger automobile service between Pasadena and Long Beach and the intermediate points mentioned and offered in evidence all the testimony introduced by them at the hearing before Examiner Gordon of their respective applications above designated. This applicant and the protestants admitted that there was no public necessity for the establishment by the Commission of three passenger automobile lines between Long Beach and Pasadena.

Since the hearing of this application, the Commission has in Decision No. 7660 under date of June 1st, 1920, granted certificates covering through service between Pasadena and Long Beach to the protestants Horn and Painter, co-partners, and Chas. E. Cohn including local service of intermediate points between Pasadena and

Pico Station with the proviso that no local passengers shall be carried by said applicants between Long Beach and intersection of Long Beach Boulevard and Whittier Boulevard at Pico Station.

After a careful consideration of the evidence, we are of the opinion that the application should be denied.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity do not require the operation by E. B. Dillingham of an automobile stage line as a common carrier of passengers between Whittier and Pasadena, Los Angeles County and intermediate points via Pico Station, Valley Boulevard, San Gabriel, Alhambra and South Pasadena.

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

Dated at San Francisco, California, this 19th day of June, 1920.

Edwin O. Edgerton
H. S. Loveland
Stuart R. Kolm
H. H. Boardman
Dwight Martin
Commissioners.