

Decision No. 8295

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application  
of MRS. E. A. VARRO, as sole pro-  
priator of Liberty Stage Line a  
Transportation Company, to extend  
her line from Norwalk to the Norwalk  
State Hospital.

Application No. 6017

A. B. WATSON,

Complainant,

vs.

Case No. 1490

MRS. E. A. VARRO,

Defendant.

W. H. Kidd, for Applicant,

Clyde Bishop, for Protestant.

BY THE COMMISSION.

O R D E R

Mrs. E. A. Varro, doing business under the name of the Liberty Stage Line, has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by her of an automobile stage line as a common carrier of passengers between Norwalk and the Norwalk State Hospital, County of Los Angeles, as an extension of her auto stage line now operating between Los Angeles and Norwalk.

Applicant proposes to charge 5 cents for one-way trip and to operate on a schedule of six round trips daily and to use the same equipment at present used by her in maintaining her Norwalk and Los Angeles service, to-wit: 14 to 18 passenger Rio-Speed Wagons.

In the above entitled complaint, A. B. Watson, doing business under the fictitious name of Crown Stage, alleges in substance that said defendant, Mrs. H. A. Varro, is unlawfully and without authority of this Commission operating automobile stages beyond the town of Norwalk and to the Norwalk State Hospital and in direct competition with said Crown Stage Line, and prays for an order of this Commission directing her and her agents to desist from and cease said operation.

Mrs. H. A. Varro in answer to said complaint denies each and every allegation in respect to alleged unlawful operations and alleges affirmatively that since the 9th day of July, 1920, she has been operating only a for hire automobile service between the downtown portion of Norwalk and said State Hospital.

A public hearing on the above matters was conducted by Examiner Satterwhite at Norwalk State Hospital on October 8, 1920. The matters were consolidated to receive evidence for the reason that evidence in one would be more or less pertinent in the other; said matters were duly submitted and are now ready for decision.

The Liberty Stage Line now operates between Los Angeles and Norwalk by way of Downey.

The Crown Stage Line now operates between Los Angeles and Santa Ana by way of Norwalk, following a different route, However, than the Liberty Stage Line between Bandini and Norwalk.

Norwalk State Hospital is about two and one-half miles north of Norwalk. There are now about 600 patients regularly treated in this institution, and the average number of employees is about 115. The Crown Stage Line passes the said hospital at a point upon the highway about one thousand feet from its actual buildings and structures.

Applicant called a large number of witnesses in support of the application, consisting of the Superintendent, resident

physician, employees and attendants. The testimony of applicant shows that Mondays, Wednesdays and Saturdays in each week are visiting days, that about 150 persons travel weekly to and from the hospital; that employees and attendants frequently travel between Los Angeles and the State Hospital and other points in the vicinity; that many complaints have been made against the service of the Crown Stages and that much inconvenience is undergone in patronizing this line. Passengers are compelled to walk through an open dusty field in summer and in mud in winter from the hospital to the highway where the Crown Stages pass; that no waiting station has ever been erected, and that frequently passengers are carried past the point of destination; that frequent delays are caused by fully loaded stages; that at night there are no lights on the highway, and women have complained against the necessity of crossing at night a dark and lonely field; that most of the baggage of passengers is handled to and from Norwalk.

Innumerable requests have been made by the employees and visitors that this proposed service be established on the ground that it offers a direct and convenient service to and from the hospital.

The applicant also introduced testimony to show that at no time has she ever operated a regular stage service between Norwalk and the hospital, but had operated for hire an automobile service whenever a personal request had been made by any one going to and from the hospital, and that at no time had any regular schedule been maintained, and that different equipment had been used in operating the for hire service.

A. B. Watson, protestant, testified that the Crown Stages is rendering a good and adequate half-hour service from 6 A.M. to 11:30 P.M. daily and operating 18 passenger busses.

After a careful consideration of all the evidence, we are of the opinion, and find as a fact, that public convenience and necessity require the operation of applicant's proposed service

and that the application should be granted.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Mrs. H.A. Varro of an automobile stage line as a common carrier of passengers between the town of Norwalk and the Norwalk State Hospital as an extension of the service now operated by her between Los Angeles and Norwalk, provided, however, that the rights and privileges hereby authorized may not be transferred nor assigned unless the written consent of the Railroad Commission for such transfer or assignment has first been secured.

IT IS HEREBY ORDERED THAT no vehicle may be operated under this service unless such vehicle is owned by applicant herein or is leased by applicant on a contract or agreement on a basis satisfactory to the Railroad Commission.

WE ARE OF THE OPINION AND FIND AS A FACT that Mrs. H. A. Varro has, since July 9, 1920, operated only for hire, an automobile service between the downtown portion of Norwalk and the Norwalk State Hospital, and that she has never in any manner operated an auto stage service between said points as a common carrier or as a transportation company, and that the complaint of protestant, A. B. Watson, should be dismissed.

IT IS THEREFORE ORDERED, that the said complaint of A. B. Watson be, and the same is hereby dismissed.

Dated at San Francisco, California, this \_\_\_\_\_ day of October, 1920.

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Commissioners.