Decision No. 8414

MISSION CORNIA

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of RALPH ATKINSON for certificate of public convenience and necessity to operate an auto stage service between Santa Monica and Long Beach via Ocean Park, Venice, Playa del Roy, El Segundo, Manhattan Beach, Hermosa Boach, Redondo Beach, Clifton, Harbor City and Wilmington.

Application No. 5921.

R. L. McNitt, for Applicant Frank Marr, for Pacific Electric Railway Company.

LOYMLAND, Commissioner:

## OPINION

RALPH ATKINSON has petitioned the Reilroad 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 Santa Monica and Long Beach and intermediate points, over the route hereinafter fully described. A public hearing on this application was conducted at Los Angeles November 12, 1920, the matter was duly submitted and is now ready for decision.

Applicant proposes to charge rates in accordance with a schedule marked Exhibit "A" and filed with this proceeding, to operate on a two-hour schedule between the hours of 8 A.M. and 6 P.M., using as equipment two-16 or 20 passenger Bethlehem Spood Wagons, and such other equipment as traffic may demand.

Applicant relies, as justification for the granting of this application, upon the fact that there is no direct service between Santa Monice and Long Beach and intermediate points, passengers now traveling between these points being compelled to ride either to Watts or Los Angeles, and then into Long Beach, and that the needs of the public demand the operation of such a transportation company. At the hearing on this application, applicant stipulated that it was not the desire to handle passengers locally between Wilmington and Long Beach, between Redondo Beach and Manhattan Beach, and between Santa Monica and Playa del Rey.

M. A. Wilson, operating stage between Pasadena and Ocean Park, testified on behalf of applicant as to his ability to produce and place in service all equipment necessary to take care of traffic. Several other witnesses testified as to the need of a direct service, particularly between Santa Monica and Long Beach. It was also shown that service to El Segundo, as performed by Pacific Electric Railway, leaves the business section of that town three-quarters of a mile from their rails, causing a walk-over what is commonly called Sand Dune to reach the business section. This will be climinated by the establishment of this line.

The Pacific Electric Railway objects to the granting of this application on local traffic between Santa Monica.

Vonice and Ocean Park and Playa del Rey on the one hand, and Manhattan Beach, Hermosa Beach and Redendo Beach on the other hand. An exhibit of the time schedule of the Pacific Electric Railway shows that adequate service is being performed between these points, including a through service during the summer menths.

There is no evidence in this proceeding which would justify the granting of the entire service as requested by applicant. I find a justification for the establishment of service between Santa Monica, El Segundo and intermediate points: El Segundo, Long Beach and intermediate points, and between Santa Monica and Long Beach.

After careful consideration of all evidence in this proceeding. I am of the opinion and find as a fact that public convenience and necessity do not require the establishment of an automobile stage line as a common carrier of passengers between Santa Menica, Ocean Park, Venice and Playa del Rey on the one hand, and Manhattan Beach, Hermosa Beach and Redende Beach on the other hand, and that the application for such service should be denied. I find, however, that public convenience and necessity would be served by the operation of an automobile stage line between Santa Menica and El Segundo, and intermediate points: El Segundo and Redendo Beach and intermediate points: El Segundo and Long Beach and intermediate points, and between Santa Menica and Long Beach on through traffics.

## ORDER

A public hearing having been held upon the above application, the matter having been duly submitted and being now ready for decision, --

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by RALPH ATKINSON of an automobile stage line as a common carrier of passengers between the following points: Santa Monica and Long Beach, for the handling of through traffic: El Segundo

and Santa Monica and intermediate points; El Segundo and Redondo and intermediate points; El Segundo and Long Beach and intermediate points, over the following described route:

From a terminal at or near Third and Santa Monica streets in Santa Monica; thence over Santa Monica Street to Ocean Avenue: thence over Ocean Avenue to Pico Street: thence over Pico Street to Main Street; thence over Main Street, to Pier Avenue: thence over Pier Avenue to Speedway: thence over Speedway through Venice to Playa del Rey; thence over Coast Highway to Main Street in El Segundo: thence over Main Street through El Segundo to Coast Highway; thence over Coast Highway to Highland Avenue in Manhattan Beach; thence over Highland Avenue to Manhattan Avenue: thence over Manhattan Avenue and Hermosa Avenue to Redondo Boach; thence over Pacific Avenue and El Planada Avenue through Redondo Beach and Clifton-by-the-Sea to Redondo and Wilmington Boulevards: thence over Redondo and Wilmington Boulevards to Harbor Boulevard (formerly known as South Main Street); thence over Harbor Boulevard to Anaheim Street; thence over Anaheim Street to Canal; thence over Canal to "B" Street, in Wilmington; thence order Canal to Ancheim Street; thence over Anaheim to American Avenue, in Long Beach: thence over American Avenue to a terminal at or near Ocean Avenue: provided, however, that the rights and privileges hereby 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; and, provided further, that applicant herein shall, within ten (10) days from the date of service of this order file with the Reilroad Commission a written acceptance of the certificate herein conveyed, such acceptance to state

the date upon which the operation herein authorized will be commenced, such date to be not less than thirty (30) days from the date of the acceptance herein specified; and

IT IS HEREBY FURTHER ORDERED, that unless written acceptance is filed and operation begun in accordance with the foregoing paragraph of this order, that this order automatically stands suspended and void without further order of the Railroad Commission; and

operated by the applicant Ralph Atkinson unless such vehicle is owned by him or is leased by him for a specified amount on a trip or term basis, the leasing of equipment not to include the services of a driver or operator. All employment of drivers of leased cars shall be made on the basis of a contract by which the driver or operator shall bear the relation of an employee to the transportation company.

Dated at San Francisco, California, this 4 day of December, 192 O.