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Decision No. 9343

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application)	
of MAURICE AND CARPENTER for)	
Certificate of Public Convenience)	
and Necessity to Operate Passenger)	Application No. 6928.
Service between Redondo Beach,)	
Hermosa Beach, Redondo Villa Tract,)	
and Inglewood and way points.)	

D.B. Maurice, in propria persona, Applicant
 R.C. Gortner and E.H. Sharpe, for Pacific Electric
 Railway, Protestant
 F.L. Kern, for Chamber of Commerce of Redondo Beach
 W.L. Barnard, for Redondo Villa Tract Chamber of
 Commerce
 F.W. Godard, for Grant Civic Society of Redondo Villa
 Tract
 W.W. Duane, for Grant School Redondo Villa Tract

BY THE COMMISSION:

O P I N I O N

Maurice and Carpenter, a partnership, applied to the Railroad Commission for a certificate of public convenience and necessity to operate passenger service between Redondo Beach, Hermosa Beach, Redondo Villa Tract, and Inglewood and way points.

A public hearing was held by Examiner Williams at Los Angeles. At the opening of the hearing, D.B. Maurice, one of the partners, filed a written transfer of all partnership interest of T.R. Carpenter to said Maurice and asked to

amend the application by inserting the name of D.B. Maurice as applicant, instead of Maurice and Carpenter. No opposition being made, this was done.

Applicant presented a large array of witnesses, of which only a necessary number were examined under oath. Each testified to the need of establishing the service applied for, with particular emphasis on a frequent service between Redondo Beach and Hermosa Beach and Redondo Villa Tract, and school service at suitable hours during proper periods.

Protestant Pacific Electric Railway made no objection to the service as proposed, except as to the operation between Redondo Beach and Hermosa Beach, which would parallel the Pacific Electric Railway lines at more or less distance. Protestant urged that applicant's service be kept, as to access of passengers to it, at least two blocks from the protestant's loading stops at Emerald Avenue in Redondo Beach, or at Pier Avenue in Hermosa Beach. The restriction presented an impractical operation, unsatisfactory to either applicant or the public, as it made the stage terminals inconvenient, and remote from business centers.

Protestant maintains only its through hourly service over its lines between Emerald Avenue and Pacific Terminal, Redondo Beach, and Pier Avenue, Hermosa Beach, a distance of 1.2 miles. The fare charged is 6¢. The service, considering the population and distance, cannot be regarded as adequate, and protestant asserts that more frequent local service cannot be established profitably.

Applicant proposes to operate a 15-minute service between the points named, and to Redondo Villa Tract.

Such a service, witnesses testified, would meet the transportation needs between the two places and Redondo Villa Tract.

Subsequent to the hearing, applicant and protestant Pacific Electric Railway, filed a stipulation in which the following route was agreed to:

Emerald and Pacific Terminal, Redondo Beach, northwesterly along Pacific Avenue to El Camino Real; thence to junction of Pier Avenue, Hermosa Beach; thence along Pier Avenue to Hermosa Avenue, returning along Pier Avenue over same route.

It was also further stipulated that applicant's bus schedule "will not operate within ten minutes of scheduled time of departure of Pacific Electric trains". This, in effect, imposes a time restriction in place of a distance restriction, and might prove just as impractical should Pacific Electric Railway schedule the departure of trains oftener than every hour, as now provided. However, any conflict of that sort is speculative, and is open to further application on the part of applicant, should such course become necessary. The stipulation will be regarded at this time as advisory of agreement between the two carriers as to route only. If the operation of the stage line later requires service on different schedules in behalf of the public, the convenience and necessity of the public will become paramount, and applicant should maintain effective frequent service.

It appears convincingly that public convenience and necessity require the establishment of the service

proposed by applicant, with the understanding that the fare to be charged between Emerald Avenue and Pacific Terminal, Redondo Beach, and the north city limits of Redondo Beach, including Pier Avenue and Hermosa Avenue, Hermosa Beach, shall be five cents. In all other respects, the fares are to be as shown in applicant's Exhibit "A". It should be further understood that this operation, and to Redondo Villa Tract, shall be on not less than a twenty-minute schedule, regardless of the schedule of protestant Pacific Electric Railway.

O R D E R

D. B. Maurice, survivor of the partnership of Maurice and Carpenter, applicant herein, having petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of automobile passenger service between Redondo Beach, Hermosa Beach, Redondo Villa Tract, Inglewood and way points, a public hearing having been held and the matter duly submitted, and now being ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by applicant of such service as a common carrier of passengers over the following route:

Beginning at Emerald Avenue and Pacific Terminal north-westerly along Pacific Avenue to El Camino Real; thence to junction of Pier Avenue, Hermosa Beach; thence along Pier Avenue to Hermosa Avenue; thence returning along Pier Avenue to El Camino Real; thence north to Center Street Redondo Villa Tract; and thence northerly over the County Road to Inglewood returning Inglewood to Redondo over the same identical route, and that a certificate of public convenience and

necessity be and the same is hereby granted, subject to the following conditions:

- I - That applicant, D.B. Maurice, shall file within ten (10) days from the date hereof, his written acceptance of the certificate herein granted and shall file within twenty (20) days of the date hereof, duplicate tariff of rates and time schedules, in accordance with General Order No. 51, of the Railroad Commission, and that operation of such service will begin within a period of thirty days from the date hereof.
- II - That applicant, D.B. Maurice shall not sell, lease, assign, or discontinue the service herein authorized, unless such sale, lease, assignment, or discontinuance shall have been authorized by the Railroad Commission.
- III- That no vehicles shall be operated by applicant unless such vehicles are owned by said applicant, or are leased under an agreement satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 10th
day of August, 1921.

H. B. Roundig
H. S. Lyland
Dwight Martin
Robert H. Powell
W. H. Remond