

Decision No. 9395

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of Motor Transit Company for a certificate of public convenience and necessity permitting it to extend its motor stage service from Cucamonga Station to a point two miles east of Colton.

ORIGINAL

Application No. 6904.

E.W. Kidd and F.D. Howell, for Applicant
J.R. Downs, for Southern Pacific Railway, Protestant
R.C. Gortner and O.A. Smith, for Pacific Electric Railway, Protestant
J.A. Wheeler, for citizens of Bloomington.

BY THE COMMISSION:

O P I N I O N

Motor Transit Company, a corporation, has made application to the Railroad Commission for a certificate of public convenience and necessity to extend its operation between Cucamonga Station and a point on Colton Avenue, two miles east of Colton, over the Ocean to Ocean, or Valley Boulevard.

Applicant proposes to establish hourly service between Bloomington and Colton and its established line between San Bernardino and Redlands. By consolidating these lines through hourly service between the three termini will be established. Applicant also proposes to operate over this route its through traffic between San Bernardino and Redlands and Los Angeles, thus taking such operation from its Foothill Boulevard route and relieving congestion there, also adopting

a shorter and more direct route between termini.

Applicant proposes to apply its rate schedules, both as to freight and express, to the new service uniformly with all other parts of its operation. Applicant, through its manager, Mr. F.D. Howell, showed that its rate structure carries no limits of weight or size on express matter. The rates of applicant are lower than protestants, though running time is not so rapid.

Applicant showed that its application was based on a petition prepared and circulated by J.A. Wheeler, of Bloomington, signed by one hundred sixty-one persons, residents of Bloomington and vicinity, who gave their assurance of their support to the operation, particularly between Bloomington and Colton, a distance of about four miles.

J.A. Wheeler, Mrs. Grace Newman, George W. Kelly, Gust O. Nelson, Mrs. Theresa Burch, H.B. Newman, A.C. Peterson, Ray E. Toller, and O.P. Sanford, testified in behalf of applicant. Twenty other witnesses were present but it was stipulated that their testimony need not be taken as it would be the same generally as the witnesses named. The need of applicant's service between Bloomington and Colton was not only established by these witnesses, but was admitted by protestants, there being no carrier between the points, except devious service by Pacific Electric Railway, which requires a journey of between ten and eleven miles, with changes of cars at Rialto and San Bernardino.

The witnesses seemed unanimous that some service of applicant should be made available west of Bloomington in order that the population might have direct transportation facilities to Los Angeles, other than the through service of the Pacific

Electric Railway. So emphatic was this showing that applicant asked leave to amend its application to authorize daily service between Bloomington and Ontario, where a connection with applicant's Foothill Boulevard line may be made, this service to be as frequent as demand may now or later require. This amendment was permitted.

Witnesses were also united in their opinion that local service should extend in Bloomington to Alder Avenue, a mile west of the Pacific Electric Railway crossing of Colton Avenue, to serve a growing population, and applicant expressed readiness to accede to this.

Protestant Pacific Electric Railway opposed any operation between Bloomington and Ontario, setting up its ten train service between Bloomington and Los Angeles as adequate. It was shown that this service was accomplished by through cars to and from Riverside, which are attached at Rialto to the trains operating between San Bernardino and Los Angeles. The fares are much higher, however, for one way and round trip traffic than proposed fares of applicant. This service does not, however, furnish convenient service for the population along the Ocean to Ocean Highway between Bloomington and Ontario, a distance of seventeen miles, being at least two miles north of this highway. The distance between Bloomington and Ontario is sparsely settled but is growing, and as it is without any transportation service, except remotely, applicant's wish to operate a daily service, morning and evening, between the points, taken in connection with the testimony of witnesses that such service is needed, justifies its establishment.

Protestant Southern Pacific Railway made no affirmative showing, but established by cross examination that it maintains one train each way each day between Bloomington and Los Angeles.

This train leaves Bloomington at 11:00 A.M. and returns from Los Angeles at 5:30 P.M. Witnesses said it was seldom used as the Pacific Electric Railway was more advantageous. Protestant's service is plainly inadequate.

Considering all the facts submitted it appears that public convenience and necessity require the operation by applicant over routing asked for.

ORDER

Motor Transit Company, a corporation, having applied for a certificate of public convenience and necessity permitting it to extend its motor stage service from Cucamonga Station to a point two miles east of Colton, a public hearing having been held and the matter being 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 and express over the following route:

Beginning at a point two miles east of Colton, where Colton Avenue intersects the paved highway from San Bernardino to Redlands, thence westerly along Colton Avenue to Bloomington, thence westerly over the Valley Boulevard, also known as the Ocean to Ocean Highway, to Cucamonga Station, and vice versa, and that a certificate of public convenience and necessity be and the same is hereby granted, subject to the following conditions:

- I - That applicant, Motor Transit Company, shall at all times operate its local service between Redlands and San Bernardino and Bloomington to and from Alder Avenue in Bloomington.
- II- That applicant, Motor Transit Company, shall file within (10) days from the date hereof, its 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.

III- That applicant, Motor Transit Company, 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.

IV- 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 23^d

Day of August, 1921.

H. B. Brundage
H. D. Howard
James M. Atkinson
David H. Brown
J. J. Condon