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Dec. 9494

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the Application of B. & H. TRANSPORTATION COMPANY, a corporation, for a certificate of public convenience and necessity to operate passenger service on Willow Street from California Avenue to the East city limits of Long Beach, California; on Pasadena Avenue from the north city limits of Long Beach, to Arabella Street, thence East on Arabella Street, to American Avenue, thence northwest on American Avenue to the entrance of the new Virginia Country Club, located three tenths of a mile northwest from the intersection of American Avenue and San Antonio Drive.

ORIGINAL

Application No. 6537.

Percy Hight, for Applicant.
R.C. Gortner and E.H. Sharpe, for Pacific Electric Railway, Protestant.
W.J. Desmond, for Compton Transportation Company, and Long Beach-Whittier Stage Line, Protestants.
G.L. Hoodenpyl, for City of Long Beach, Protestant.

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

B. & H. Transportation Company, a corporation, applied to the Railroad Commission for a certificate of public convenience and necessity to operate automobile passenger service over the route described in the title hereof. By its Decision No. 8689, ex parte, the application was granted as applied for, upon the representation in applicant's verified petition that no service of any character was being rendered between Long Beach and the Virginia Country Club.

Subsequently, operation as authorized, was established by applicant, and was met by protest to the Commission on the part of the Pacific Electric Railway and the Compton Transportation Company, each asserting it is, and has been maintaining adequate, authorized service to the Virginia Country Club, and that neither had had a chance to protest applicant's proposed service.

Thereupon, the Commission, on June 30, 1921, made its order suspending certificate granted applicant herein by Decision No. 8689, and ordered a public hearing and notice to protestants and others of such hearing.

A public hearing was held by Examiner Williams at Long Beach.

Applicant sought at this hearing to establish necessity for the restoration of its service, which had been discontinued immediately on receipt of the Commission's order. Protestants Pacific Electric Railway and Compton Transportation Company were joined by the Long Beach-Whittier Stage Company in resisting applicant's desire to restore its service.

The testimony convincingly showed that at this time, protestants are giving all necessary service, not only to the Virginia Country Club, but to the Los Cerritos settlement by a more direct route than that proposed by applicant, and are ready and willing to meet enlarged needs, if same appear. After protestants showing, applicant moved to dismiss its application without prejudice.

ORDER

B. & H. Transportation Company having applied for a certificate of public convenience and necessity to operate

an automobile passenger service over the following route:

Beginning on Willow Street from California Street to the east city limits of Long Beach; on Pasadena Avenue from the north limits of Long Beach to Arabella Street, thence east [west] on Arabella Street to American Avenue to the Virginia Country Club;

And authority to so operate having been granted by Decision No. 8689, which authority was suspended by order of the Commission, June 30, 1921;

And a public hearing having been held and the matter submitted, upon applicant's motion to dismiss without prejudice, and good cause therefor appearing

IT IS HEREBY ORDERED that the above entitled application be, and it is hereby dismissed without prejudice.

IT IS FURTHER ORDERED that certificate of public convenience and necessity heretofore granted by Decision No. 8689, be and the same is hereby revoked, insofar as it relates to all rights sought under Application No. 6537.

Dated at San Francisco, California, this
12th day of ~~August~~^{September}, 1921.

H. B. Prudice

J. J. [unclear]

David Martin

Chas. H. [unclear]