

Decision No. ~~9790~~ 9790

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of A.B. DUNPHY for certificate of public convenience and necessity to operate passenger service between east end of Stephenson Avenue car line and First Street and Rowan Avenue.

ORIGINAL

Application No. 7194.

A.B. Dunphy, Applicant, in propria persona
J.F. Koffman, for Koffman & Ellis, Protestant
Mrs. N.E. Whitcomb, for Wilmar Stage Line, Protestant.

BY THE COMMISSION : OPINION

A.B. Dunphy has applied to the Railroad Commission for a certificate of public convenience and necessity to operate automobile passenger service between the east end of the Stephenson Avenue car line and First Street and Rowan Avenue, in the County of Los Angeles. The operation proposed is outside the east city limits of Los Angeles.

A public hearing was held by Examiner Williams at Los Angeles.

Applicant proposes to establish a service that traverses the only practicable route between termini, and which will now serve a growing territory, now inhabited by several hundred families. It also acts as a feeder to two important lines of the Los Angeles Railway. The schedule provides for half hourly service between termini (3.9 miles) from 6:00 A.M. to 12:30 midnight, at a single fare of five cents (5¢). The need and practicability of this service was well established by witnesses

who would make use of it.

Protestants serve a portion of the routing asked for. The Wilmar Stages, (W.F. Whitcomb), operate over certain streets at the north end to the street railway terminus at First and Rowan Streets.

The Montebello Stages, (Hoffman & Ellis), operate along Whittier Boulevard from Kern Avenue to the Stephenson Avenue street car terminus. Each charges a ten cent (10¢) fare. The Montebello Stages provides a round trip rate of fifteen cents (15¢) from the unincorporated area of Belvedere Gardens to the Stephenson Avenue terminus. There was testimony that the busses of both protestants are usually so crowded that this service is not always available.

There was also testimony that the protestants permitted riding on running boards and seating passengers on car doors. Protestants did not refute this, and one, the Wilmar Line, admitted carrying passengers beyond the seating capacity. Protestants were warned that such practices are forbidden by the Railroad Commission on the ground of public safety and promise of future obedience to the Commission's regulations was made by each.

The service proposed by applicant cannot be of any great injury to either protestant, and will be of great benefit to the people living between Whittier Boulevard and Chicago Street, who now have no service. It will also facilitate school attendance in the district, a feature much desired, witnesses for applicant testified. It will serve the same purpose as car extension of both car lines.

Applicant proposes to operate a ten-passenger automobile. At the fare proposed, it would appear doubtful if

the operation can be successful financially, but applicant testified that he assured himself that the night service would bring his operation to a profitable basis.

In view of all the facts, it appears that the application should be granted.

ORDER

A.B. Dunphy having applied to the Railroad Commission to operate a passenger auto stage between East end of the Stephenson Avenue car line and First Street and Rowan Avenue, a public hearing having been held, the matter having been duly submitted, and being now ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation of said passenger stage service along the following route:

Beginning at First Street and Rowan Avenue; east on First Street to Gage Street; north on Gage Street to Hammel Street; east on Hammel Street to Brannick Street; north on Brannick Street to Chicago Street; east on Chicago Street to Ford Street; south on Ford Street to Brooklyn Avenue; east on Brooklyn Avenue to Arizona Avenue; south on Arizona Avenue to Riggis Street; east on Riggis Street to Ventura Avenue; south on Ventura Avenue to Third Street; west on Third Street to Kern Avenue; south on Kern Avenue to Whittier Boulevard, and thence west on Whittier Boulevard to the present terminus of the Stephenson Avenue street car line of the Los Angeles Railway.

And that a certificate of public convenience and

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

- I - That applicant, A.B. Dunphy, shall file within fifteen (15) days from date hereof, his written acceptance of the certificate herein granted, and shall file within thirty (30) days of the date hereof, duplicate tariff of rates and time schedules, in accordance with General Order No. 51 of the Railroad Commission.
- II - That applicant, A.B. Dunphy, 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 vehicle 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 November, 1921.

H. B. Brundage
Dwight Martin

Charles H. Jones
J. H. Leonard
Commissioners.