

Decision No. 29426.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
(1) L. G. BARTHELOMEW for a certifi-
cate of public convenience and
necessity to operate (2) passenger
automobile bus service as a common
carrier between Chestnut and Illi-
nois Avenues in the County of Fresno,
State of California, and Van Ness
Avenue and Mariposa Street in the
City of Fresno, State of California.

ORIGINAL

Application
No. 20799

James T. Barstow for Applicant.
H. W. Hobbs for Fresno Traction Company,
Protestant.

BY THE COMMISSION:

O P I N I O N

Applicant herein seeks a certificate of public convenience and necessity authorizing the establishment and operation of passenger bus service between Fresno and the Sierra Vista Tract, east of the east city limits of Fresno.

Public hearing thereon was conducted by Examiner W. R. Williams at Fresno, the matter was duly submitted and now is ready for decision.

Applicant now operates a bus line between downtown Fresno and Hazelwood, southeast of the city limits, terminating at Butler Avenue and Eleventh Street and, also, to Harvey and Milbrook Avenue northeast of the city limits. The pro-

posed operation is over a route between present operations, and via Mariposa and Illinois Street, to the Sierra Vista area. The distance between termini is three and four-tenths miles. Fares proposed are seven (7) cents one way and four (4) cents for school children under 18 years of age. Two new twenty-one (21) passenger vehicles of modern design are to be used.

Sierra Vista Tract, according to the testimony of M. P. Lohse, Secretary of the Agricultural Department of the Fresno Chamber of Commerce, now has a population of three thousand to thirty-five hundred and is growing rapidly, forty (40) new houses being under construction at the time of the hearing. Many residents are three-fourths of a mile, or more, from transportation. The Chamber of Commerce supports the applicant, provided no injury will be done to the electric service of the Fresno Traction Company, protestant herein.

The establishment of the service was not opposed by the Fresno Traction Company except as to points west of Twelfth Street, the west boundary of the city, and south of Tulare Street, on the ground that points within the city now have adequate transportation by electric lines and applicant's other services. Applicant produced no proof that additional transportation service is needed, except to and from points east of Twelfth Street. Many witnesses from Sierra Vista area (thirty-four in all) testified as to this need, and in addition a petition signed by eight hundred residents of the area was filed.

Testimony and exhibits filed by protestant, Fresno Traction Company, shows that the proposed bus service is within close proximity of its local traction service within the city limits of Fresno.

The whole record is convincing that only additional service between Fresno and the Sierra Vista Tract is needed and the application will be granted subject to restriction against point to point service within the City Limits.

O R D E R

L. G. Bartholomew having made application as above entitled, a public hearing having been held, the matter having been duly submitted and the Commission being fully advised,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the establishment and operation of automotive bus service for the transportation of persons between the City of Fresno and the Sierra Vista Tract in Fresno County, over and along the following route:

Commencing at the corner of Illinois and Chestnut Avenue, in the County of Fresno, the eastern terminus of the proposed route; thence north on Chestnut Avenue three blocks to Washington Avenue; thence west on Washington Avenue eight blocks (one mile) to Twelfth Street; thence south on Twelfth Street three blocks to Illinois Avenue; thence west on Illinois Avenue twelve blocks (one mile) to North Angus Street; thence south on North Angus Street two blocks to Divisadero Street; thence west on Divisadero Street two blocks to Mariposa Street; thence southwesterly on Mariposa Street eight blocks to M Street; thence southeasterly on M Street one block to Tulare Street; thence southwesterly two blocks on Tulare Street to Van Ness Avenue; thence one block on Van Ness Avenue to the intersection of Mariposa Street, the westerly terminus of the proposed route; thence northwesterly on Van Ness Avenue one block

to Fresno Street; thence northeasterly on Fresno Street two blocks to M Street; thence southeasterly on M Street one block to Mariposa Street; thence northeasterly on Mariposa Street eight blocks to Divisadero Street; thence easterly on Divisadero Street two blocks to North Angus Street; thence northerly on North Angus Street two blocks to Illinois Avenue; thence easterly on Illinois Avenue twenty blocks (two miles) to Chestnut Avenue, the easterly terminus of the proposed route.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such service be and the same hereby is granted to L. G. Bartholomew, subject to the following conditions:

- (1) Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from date hereof.
- (2) Applicant shall not transport passengers having both origin and destination west of Twelfth Street.
- (3) Applicant shall commence the service herein authorized within a period of not to exceed thirty (30) days from the effective date hereof and shall file, in triplicate, and concurrently make effective, on not less than ten days' notice to the Railroad Commission and the public, a tariff or tariffs constructed in accordance with the requirements of the Commission's General Orders and containing rates and rules which, in volume and effect, shall be identical with the rates and rules shown in the exhibit attached to the application, in so far as they conform to the certificate herein granted, or rates and rules satisfactory to the Railroad Commission.
- (4) Applicant shall file, in duplicate, and make effective within a period of not to exceed thirty (30) days after the effective date of this order, on not less than five days' notice to the Railroad Commission and the public, time schedules covering the service herein authorized in a form satisfactory to the Railroad Commission.

(5) The rights and privileges herein 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 obtained.

(6) No vehicle may be operated by applicant herein, unless such vehicle is owned by said applicant or is leased by applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

For all other purposes the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 4th
day of January, 1937.

William M. ...
Leon ...

Frank R. ...
COMMISSIONERS