

ORIGINAL

Decision No. 180156

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of WILLIAM CALLAHAN for certificate) Application No. 22830
authorizing the maintenance of a)
limousine and taxi service.)

- ALFRED R. MEYERS, for Applicant.
- W. R. WILLIAMS, for Joe Ferrant, doing business as Airdrome Transport, Protestant.
- J. L. Ronnow, for Yellow Cab Company, Protestant.
- RAY L. CHESBRO, K. CHARLES BEAN and STANLEY LANHAM, by Frederick von Schraeder, for the city of Los Angeles and the Board of Public Utilities and Transportation of the City of Los Angeles.
- H. W. STEWART, for Tanner Motor Tours, Interested Party.
- D. L. CAMPBELL, for Asbury Rapid Transit System, Interested Party.

BY THE COMMISSION:

O P I N I O N

In this proceeding William Callahan seeks a certificate of public convenience and necessity authorizing the establishment and operation of a passenger stage service between Grand Central Air Terminal at Glendale, and Glendale, Burbank, Los Angeles and Hollywood.

A public hearing was held before Examiner Paul at Los Angeles on October 11 and November 15, 1940 and the matter having been submitted is now ready for decision.

The application is opposed by Joe Ferrant, doing business as Airdrome Transport, Yellow Cab Company, and the Board of Public Utilities and Transportation of the City of Los Angeles. Tanner Motor Tours, Ltd. and Asbury Rapid Transit System are interested parties.

From the record it appears that Grand Central Air Terminal at Glendale is operated by Aircraft Industries Corporation. Pan American Airways, Inc. provides an airplane service to and from that terminal in which it uses planes of the land type. Its planes arrive there normally on Monday, Wednesday and Friday of each week and depart therefrom usually on the following Tuesdays, Thursdays and Saturdays. No other air line operates to or from this terminal.

Giving due consideration to this record, we find applicant standing alone upon his testimony that public convenience and necessity require the certification of his operations. His testimony was vague, indefinite and unconvincing as to a public need for such certification and amounted to but little more than an assertion of his desire for a certificate. It was unsupported by the testimony of any probable user of his service that it is necessary, either because of the lack of other service or the inadequacy of existing service. An adjournment of the hearing in this matter was had to enable applicant to develop and introduce supporting evidence. This he failed to do. The Commission has repeatedly affirmed the principle that certificates of public convenience and necessity cannot be granted without adequate and affirmative proof that the proposed service is needed by those who may be expected to use it or by those in a position to have reasonably accurate and dependable knowledge of

its need by those who would use it. Such a showing is absent in this record. In the light of these considerations and the state of this record we are of the opinion that the application should be dismissed without prejudice. The order will so provide.

O R D E R

A public hearing having been held in the above-entitled proceeding, the matter having been duly submitted, and the Commission now being fully advised,

IT IS ORDERED that the above-entitled application is hereby dismissed without prejudice.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 29th day of April, 1941.

[Signature]
[Signature]
[Signature]
Francis J. Havens
COMMISSIONERS