

ORIGINAL

Decision No. 24112

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
MARCH FIELD-CAMP HAAN AUTO SERVICE)
for a certificate of public conven-)
ience and necessity to operate a)
passenger stage service, as a common) Application No. 24112
carrier of passengers and baggage)
between Camp Haan, March Field and)
Riverside; between Camp Haan, March)
Field, and Perris; and, between Camp)
Haan, March Field, and San Bernardino;)
one route via Iowa Avenue.)

THEODORE W. RUSSELL and ARTHUR GLANZ, for Applicants.

LEONARD J. DIFFANI, for A.B.H. Lines and Inland Stages, Protestants.

ROBERT F. HOWLETT, for Pacific Greyhound Lines, Interested Party.

GORDON A. GOULD, for Pacific Electric Railway Company, Interested Party.

BY THE COMMISSION;

O P I N I O N

The above-entitled application was filed by J. E. Muratet, B. B. Gregory and G. K. Dawson, co-partners, who seek thereby a certificate authorizing them to transport passengers and baggage between San Bernardino, Riverside, Plantation, the March Field Post Exchange and the main entrance to Camp Haan.

A public hearing was held April 25, 1941 in Riverside before Examiner Howard at which time evidence was received and the matter submitted.

Applicants had originally planned to operate under the fictitious name of March Field-Camp Haan Auto Service but at the hearing requested that their application be deemed amended to show the operating name of the partners as Mission Limousine Service.

It appears from the evidence of record that during the month of March of this year applicants used equipment they owned to transport soldiers between Camp Haan, Riverside and San Bernardino. Testimony presented at the hearing indicates that many private cars, taxies and other vehicles were operating common carrier services to and from points on the highway adjacent to the camp without the requisite authority to do so. Many of the persons so engaged were notified by the Commission that such operations were unlawful and warned to discontinue until certificates of public convenience and necessity were secured. Applicants promptly ceased such transportation and filed the present application. The good faith of applicants is evidenced by their conduct. Between them they own four station wagons, each capable of seating nine passengers in addition to the driver. These vehicles will be used to perform the certificated service if the application is granted.

Applicants propose to render an on-call service available twenty-four hours a day. They plan to charge 25 cents for a one-way ride between Riverside and either Camp Haan or March Field, and 50 cents for a one-way trip between March Field or Camp Haan and San Bernardino.

The three applicants are all residents of Riverside and have been for many years. The record shows that they are solvent and could finance the proposed operation.

It is clear from the evidence that applicants have received many requests from soldiers stationed at Camp Haan for transportation between Riverside and the camp. Several photographs were introduced in evidence by applicants which showed soldiers standing

along the highway adjacent to Camp Haan. The witness who took the pictures said the men were waiting for transportation. One of the applicants testified that he had watched the loading of buses at the camp on several occasions. He said that there are insufficient buses to carry the soldiers desiring to ride. The vehicles available were quickly overloaded and many men left behind because no space for them existed. The attorney for the protestants stipulated that applicants could produce many soldiers from Camp Haan as witnesses who would testify that the present service to the camp is inadequate and that applicants' service is needed.

The majority of the evidence adduced at the hearing pertained to the service requirements between Camp Haan or March Field and Riverside. However, the stipulation of protestants' counsel also includes San Bernardino and there was some testimony that soldiers had been hauled between that point and Camp Haan or March Field. George K. Dawson, one of the applicants, testified that he had been asked by officers stationed at March Field to render service to and from the field. He performed such an operation continuously for about a year. Recently he was informed by the Commission that his operation might be unlawful so he ceased to operate. The evidence shows that he is the only carrier who has been granted permission by the army authorities to enter March Field to pick up and discharge passengers. The type of passenger operation offered by these applicants apparently is desired by the personnel at March Field and will satisfy a need for a more personalized service than is available through the transportation system operated by the post.

Appearances were entered at the hearing by Pacific Greyhound Lines and Pacific Electric Railway Company as interested

parties and by A.B.H. Lines and Inland Stages as protestants.

Colonel Wiley, the executive officer at Camp Haan, was present and stated that he was authorized to speak for the Commanding Officer. Colonel Wiley testified that the service afforded by the A.B.H. Lines and the Inland Stages is entirely satisfactory from the viewpoint of the officers in charge of the camp. He said that they did not want any carriers to render service to the camp other than those authorized to do so at the present time. It is the desire of the Commanding Officer to regulate the type, hours and amount of service afforded. This is done now under the arrangements in existence with A.B.H. Lines and Inland Stages who are the only carriers authorized to enter Camp Haan. Colonel Wiley said no service could ever be entirely satisfactory to the soldiers as they are impatient and wish immediate transportation. He stated further that the photographs introduced by applicants showed a condition which the officers at Camp Haan were endeavoring to eliminate. He referred to the hitchhiking or attempts of men to get free rides. This the army considers very unsafe from a traffic standpoint and orders have been issued designed to curb this practice.

The Colonel stated that overcrowding of the buses could and would be prevented by the military police as the loading is done inside the camp. He said that the men who are unable to board the buses immediately do not have to wait long before the buses returned for them. It is obvious that the soldiers standing along the highway, who were said to be unable to obtain transportation on protestants' buses, were endeavoring to secure free rides; otherwise, they would have been in the camp where the buses were loading. It is probable that the soldiers desire some service, such as applicants', which will be available after 1:00 A.M. when protestants

service ceases so that they may remain out later. However, it is in evidence that the officers in charge of Camp Haan do not want a later service to exist as the men who stay out until an early hour of the morning are not fit for army work the next day.

The general manager of the A.B.H. Lines testified that his company had added equipment as the camp grew and was prepared to provide all the vehicles needed to give complete service. He said he was leaving immediately for New York to take delivery of four new buses to add to the eight now operated. The evidence shows that A.B.H. Lines also has an arrangement for the leasing of eighteen school buses. These are used at times of peak demand.

It must be concluded from the facts of record that while the service proposed by the applicants may be desired by many of the soldiers at Camp Haan, it is not needed to insure the camp adequate transportation. The protestants are performing satisfactory service and increasing their facilities in accordance with the demand therefor. It is apparent also that the officers in charge of Camp Haan do not want additional transportation available at points outside of the camp which they cannot control effectively. Therefore, it must be concluded from this record that in so far as Camp Haan is concerned applicants have failed to establish that public convenience and necessity require the proposed service. The application will be denied as to Camp Haan.

The transportation conditions at March Field are different. No public carriers are authorized to enter the post to pick up or deliver passengers. A bus service is operated by the Army itself. The facilities of this post bus service are not adapted to give the type or degree of transportation desired by the air

corps personnel. Inasmuch as no other carrier is authorized to perform the auxiliary transportation demanded at March Field and as it appears from the evidence of record that applicants can and will provide the required service, the application will be granted as to March Field.

O R D E R

Public hearing having been held in the above-entitled proceeding, the Commission being fully apprised in the premises, and it being found as a fact that public convenience and necessity require the granting of this application in so far as it pertains to service to March Field,

IT IS ORDERED that a certificate of public convenience and necessity be and it is granted to J. E. Muratet, B. B. Gregory and G. K. Dawson, as co-partners, operating as Mission Limousine Service, authorizing them to operate an automotive passenger stage service, as that term is defined in section 2 $\frac{1}{2}$ of the Public Utilities Act, for the transportation of passengers and their baggage between March Field, Plantation, Riverside and San Bernardino.

IT IS FURTHER ORDERED that in the operation of said passenger stage service pursuant to the foregoing certificate, J. E. Muratet, B. B. Gregory and G. K. Dawson shall comply with and observe the following service regulations:

1. File a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the date hereof.

2. Subject to the authority of this Commission to change or modify such at any time by further order, conduct said passenger stage operation over and along the following routes:

From March Field to Plantation via U. S. Highway No. 395; from Plantation to Riverside via U. S. Highway No. 60; from Riverside to San Bernardino via Iowa Avenue and U. S. Highway No. 395; with the right to use any appropriate route or routes within and immediately adjacent to the municipalities served; and returning via the reverse of the above routes.

3. Comply with the provisions of General Order No. 79 by filing tariffs in conformity therewith in triplicate and Part IV of General Order No. 93-A within sixty (60) days from the effective date of this order and upon not less than five (5) days' notice to the Commission and the public.

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

Dated at San Francisco, California, this 17th day of May, 1941.

[Signature]
[Signature]
Justin S. Casner
Francis X. Havener
[Signature]
COMMISSIONERS