

ORIGINALDecision No. 224100

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of FOSTER)
 TRANSPORTATION COMPANY, a partnership, for)
 Certificate of Public Convenience and Neces-) Application
 sity to operate a Bus Service, as a common) No. 24100
 carrier, between Wilmar, in the County of)
 Los Angeles, and the City of Alhambra.)

R. D. WICKHAM, for Applicants.

J. D. ATKINS, Box 564, Alhambra, in propria persona,
 Protestant.

E. L. O'HARA, City Engineer, for City of San Gabriel,
 Protestant.

L. W. HITT, of the Planning Commission of the City of
 San Gabriel, Protestant.

BY THE COMMISSION:

O P I N I O N

In the above-numbered proceeding Charles M. Foster, Charles H. Foster, and George E. Foster, d.b.a. Foster Transportation Company, a partnership, seek the Commission's authority to operate as a passenger stage corporation between Wilmar and the City of Alhambra, both in the County of Los Angeles.

A public hearing was held before Examiner Ager at Los Angeles on June 2, 1941, at which time the matter was submitted conditionally upon the possibility of applications being filed by other parties within a period of thirty (30) days, or of additional evidence being presented. No such applications having been filed or there being no indication that additional evidence is to be offered, the matter is under submission and is now ready for decision.

The record shows that, in addition to the service which applicants propose to render between Wilmar and the City of Alhambra, two other lines are operated and have been operated, for periods of

over two years, wholly within the City of Alhambra, for which no certificates have ever been issued by this Commission. In response to a question as to whether or not it would be their intention, if the instant application were granted, to exchange transfers with these lines, applicants indicated that such would be their intention and they therefore were informed that it would be necessary to have these lines certificated also. In accordance with this thought applicants, on July 8, 1941, filed their amended application in this proceeding seeking a certificate of public convenience for the two lines within the city limits of Alhambra, as well as the line between Wilmar and the City of Alhambra.

No showing of public convenience and necessity was made at the hearing with reference to the service already being conducted. The fact that these lines are being operated and have been operated for periods in excess of two years appeared to be conclusive evidence that public convenience was being served.

With reference to the proposed new service, the record shows that there is no direct line between Wilmar and Alhambra, which is the principal shopping and marketing center of the San Gabriel Valley. Studies made by the business interests of that city indicate that 37 per cent of the sales made by the retail stores are to Alhambra residents, while 63 per cent of these sales are to residents of areas outside the city limits. This study further indicates that 20 per cent of these shoppers are residents of the San Gabriel area. The record shows that surveys of the area which would be served by the establishment of the motor coach line as proposed, during which over 500 residents were contacted and interviewed, indicate that the proposed service would fill a long felt need. Petitions signed by more than 400 people were offered in support of the proposal.

The City of San Gabriel, through its City Attorney, expressed the opinion that action in the instant application should be deferred pending the possible filing of other applications and also pending the disposition of Pacific Electric Railway Company's applications seeking authority to substitute motor coach service for the existing rail service between the Alhambra-San Gabriel area and the downtown area of Los Angeles.

As for the filing of additional applications, the Commission's records indicate a possible intention on the part of one party to file such an application, but a search of these same records fails to indicate that any such application has ever been filed by this prospective applicant. It is difficult to understand why any undue delay in the disposition of this matter should result because of a possible change in existing Pacific Electric service. Even protestants agreed that there was a need for some type of service between the areas concerned, and a careful review of the record leads us to the conclusion that applicants are sincere in their intentions, that they are financially responsible, and that they have had sufficient transportation experience to enable them to render a type of service which should fill the public need. Predicated upon this conclusion, we are of the opinion that the proposed service is in the public interest and that the application, as amended, should be granted. The following order will so provide.

O R D E R

Public hearing having been held in the above-entitled proceeding and the Commission being fully advised;

IT IS ORDERED that a certificate of public convenience and necessity be and it is hereby granted to Charles M. Foster, Charles H. Foster, and George E. Foster, a partnership, d.b.a. Foster Trans-

portation Company, for the establishment and operation of an automotive passenger stage service for the transportation of passengers and their baggage, as a passenger stage corporation, as such is defined in Section 24 of the Public Utilities Act, between the City of Alhambra and Wilmar, Los Angeles County.

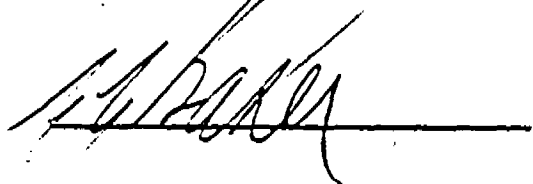
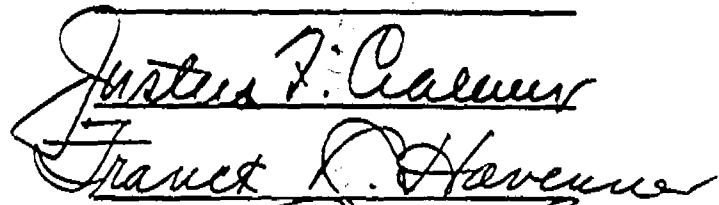

IT IS FURTHER ORDERED that in the operation of said passenger stage service, pursuant to the foregoing certificate, applicants shall comply with and observe the following service regulations:

- (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 such passenger stage operation over and along the following described routes:
 - (a) From Third and Main Streets, in the City of Alhambra; thence east on Main Street to Chapel Street; thence north on Chapel Street to Alhambra Road; thence East on Alhambra Road to Roses Road in the City of San Gabriel; thence east on Roses Road to DelMar Avenue; thence south on DelMar Avenue to Marshall Street in Wilmar; thence east on Marshall Street to San Gabriel Boulevard; thence south on San Gabriel Boulevard to Garvey Avenue; thence West on Garvey Avenue to DelMar Avenue; thence north on DelMar Avenue to Roses Road in San Gabriel; thence west on Roses Road to Alhambra Road; thence west on Alhambra Road to Chapel Street in Alhambra; thence south on Chapel Street to Main Street; thence west on Main Street to Third Street, the point of origin, by means of a turn-around on Second Street and the alley south of Main.
 - (b) Commencing at Stoneman Avenue and Main Street, thence west on Main Street to Atlantic Boulevard; thence south on Atlantic Boulevard to Commonwealth Avenue; thence west on Commonwealth Avenue to Westmont Drive; thence south on Westmont Drive to Concord Avenue; thence northeast on Concord Avenue to Fremont Avenue; thence south on Fremont Avenue to Valley Boulevard; thence west on Valley Boulevard to Westmont Drive; thence south on Westmont Drive to Hellman Avenue; thence east on Hellman Avenue to Fremont Avenue; thence south on Fremont Avenue to Carles Street and Fremont Avenue; thence north on Fremont Avenue to Concord Avenue; thence southwest on Concord Avenue to Westmont Drive; thence north on Westmont Drive to Commonwealth Avenue; thence east on Commonwealth Avenue to Atlantic Boulevard; thence north on Atlantic Boulevard to Main Street; thence east on Main Street to Stoneman Avenue, the point of origin.

- (c) Commencing at Stoneman Avenue and Main Street; thence west on Main Street to Marengo Avenue; thence south on Marengo Avenue to Valley Boulevard; thence east on Valley Boulevard to Atlantic Boulevard; thence south on Atlantic Boulevard to Ramona Boulevard; thence east on Ramona Boulevard to Sixth Street; thence north on Sixth Street to Valley Boulevard; thence west on Valley Boulevard to Marengo Avenue; thence north on Marengo Avenue to Main Street; thence east on Main Street to Garfield Avenue; thence south on Garfield Avenue to Bay State Street; thence east on Bay State Street to Stoneman Avenue; thence north on Stoneman Avenue to Main Street and Stoneman Avenue, the point of origin.
- (3) Comply with the provisions of General Order No. 79 and Part IV of General Order No. 93-A, by filing, in triplicate, 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, tariffs and time schedules in conformity with the offer of service set forth in Amended Application No. 24100, filed July 8, 1941.
- (4) Applicants are authorized to turn their motor vehicles at termini or intermediate points, either in the intersection of the streets or by operating around a block contiguous to such intersection in either direction, and to carry passengers as traffic regulations of the political subdivision may require.

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

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




Commissioners