

ORIGINAL

Decision No. 34675

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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| In the Matter of the Application of |) | |
| L. H. GUEST, doing business as LAKEVIEW |) | |
| TRANSPORTATION COMPANY, for extension |) | First Supplemental |
| of operative rights to include service |) | Application No. 24261 |
| between Ford City and Gardner Field, |) | |
| 8½ miles southeasterly therefrom. |) | |

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION AND ORDER

By first supplemental application in the above-entitled proceeding, L. H. Guest, doing business as Lakeview Transportation Company, a passenger stage corporation, seeks authority to change his present route in the city of Taft, to extend his operative right to include service via Ford City an unincorporated community lying immediately north of the city of Taft, and to abandon service via his present route between Taft and Gardner Field. (1)

Applicant proposes to serve the residential section of the city of Taft where several Army officers now reside. The proposed new route begins at applicant's terminal, the Fox Hotel in Taft, thence south on 4th Street to Crystal Street, west on Crystal Street to 6th Avenue, north on 6th Avenue to "A" Street, east on "A" Street to 6th Street, north on 6th Street to Harrison Street in Ford City, north on Harrison Street to Cedar Street, west on Cedar Street and County Road No. 270 to County Road No. 280

(1) By Decision No. 34335 of June 24, 1941 in the above-numbered application, L. H. Guest was authorized to operate a passenger stage service between Taft and the United States Army Airfield (Gardner Field), approximately nine miles from Taft, over and along a county road running in a southeasterly direction from the latter city.

and southeast on County Road No. 280 to Gardner Field. The foregoing route would automatically extend applicant's service to (2) and through Ford City en route between Taft and Gardner Field.

Two 40-passenger Dodge buses would be used in the new service with an additional Dodge school bus for standby equipment. Revised time schedules between Taft and Gardner Field, offering intermediate service at Ford City are attached to the supplemental application as "Exhibit D." No local bus operation is proposed in the city of Taft and applicant alleges that no stage lines or other public carriers now operate between the points named.

Monthly commutation fares of \$4 good for unlimited transportation for thirty days will be sold to military personnel of the United States Government. (3) Proposed fares for the general public will be 35 cents one way, 45 cents for round trips, and \$4.05 for commutation books containing twenty one-way rides.

Children under five years of age will be transported free and between the age of five and twelve years at half fare. The proposed fares and baggage regulations are set forth in "Exhibit C" attached to the application.

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- (2) In the event the Commission authorizes service on the new route, applicant seeks to abandon his present route, and would henceforth operate only via the new route. There are no patrons at intermediate points on the present route, hence no inconvenience to the public would result from that route being abandoned.
- (3) Applicant also proposed to make this \$4 monthly fare available to civil employees of the United States Government. By comparison with fares sought to be charged the general public, it will be noted that the \$4 fare would be discriminatory in violation of Section 17 (a)(2) of the Public Utilities Act. The use of that fare, therefore, will have to be restricted to military personnel only, and civil employees of the Government will be required to pay the same fare as the general public.

The applicant represents by way of justification for the authority here sought that Ford City is thickly settled and has a population at least as large as the city of Taft and that many of the enlisted personnel of Gardner Field seek recreational facilities in Ford City. In addition, the United States Housing Administration has recently constructed seventy-five new apartments in Ford City for the accommodation of Army officers and these officers as well as officers living on the proposed new route in the city of Taft need transportation from and to Gardner Field. The total military personnel now stationed at Gardner Field numbers about 2,500 men and they are practically the only patrons of applicant's line at the present time.

The Commission is of the opinion and finds that this is not a matter in which a public hearing is necessary and that public convenience and necessity require the change in route and the extension of service sought by the applicant. The application will be granted, and applicant will be authorized to abandon service on his present route.

O R D E R

Based upon the foregoing opinion and finding that public convenience and necessity so require,

IT IS ORDERED that an in-lieu certificate of public convenience and necessity be, and it is hereby granted to L. H. Guest, an individual, doing business as Lakeview Transportation Company, to operate as a passenger stage corporation, as defined by

Section 2 $\frac{1}{2}$ of the Public Utilities Act, for the transportation of passengers and their baggage between Taft, on the one hand, and Ford City and Gardner Field (U.S. Army Air Base) and intermediate points on the other hand, subject to the following condition:

L. H. Guest his successors or assigns, may never claim before this Commission, or any court or other public body, a value for the authority hereby granted in excess of the actual cost thereof.

IT IS FURTHER ORDERED that L. H. Guest, in the conduct of operations authorized under the foregoing certificate shall comply with and observe the following service regulations:

1. File with the Commission within thirty (30) days from the date hereof; a written acceptance of the certificate herein granted.
2. File, in triplicate, with the Commission and within sixty (60) days from the effective date hereof and upon not less than ten (10) days' notice to the Commission and the public, tariffs and time schedules consistent with the fares and offers of service set forth in exhibits attached to the application, as amended by the opinion herein.
3. Commence the service herein authorized within sixty (60) days from the effective date hereof.
4. Subject to the Commission's right to change said route at any time for good cause, the service herein authorized shall be conducted by the applicant over and along the following route:

Beginning at the Fox Hotel, in the city of Taft, thence south on 4th Street to Crystal Street, west on Crystal Street to 6th Avenue, north on 6th Avenue to "A" Street, east on "A" Street to 6th Street, north on 6th Street to Harrison Street in Ford City, north on Harrison Street to Cedar Street, west on Cedar Street and County Road No. 270 to junction with County Road No. 280, thence southeast on County Road No. 280 to Gardner Field, and returning over the same route in the reverse direction.

5. Applicant shall comply with and observe the provisions of General Order No. 93-A in so far as they are applicable to the operations herein authorized.

