

Decision No. 34756

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
W. PAUL BUTLER, doing business under)
the firm name and style of RIVERSIDE)
RAPID TRANSIT LINES, for a certificate)
of public convenience and necessity to)
operate an automotive stage service for)
the transportation of passengers be-)
tween Riverside and La Sierra Heights;)
Riverside and the Federal Housing Proj-)
ect on Blaine Street east of the city)
limits of the City of Riverside, and)
within the city limits of the City of)
Riverside known as the Fairmount Park)
District.)

Application No. 24543

BY THE COMMISSION:

O P I N I O N

By the above-entitled application W. Paul Butler, who plans to conduct business as the Riverside Rapid Transit Lines, requests a certificate of public convenience and necessity authorizing him to operate as a passenger stage corporation in specified territory in and adjacent to Riverside.

The application shows that Butler proposes to establish a common carrier service to transport passengers and baggage between Riverside and La Sierra Heights. The latter community is located approximately 12½ miles southwest of Riverside. Applicant also proposes to render service between Riverside and a federal housing project known as Canyon Crest Heights, which is situated on Blaine Street. This project is outside of the city limits and about 4½ miles east of the center of Riverside. Butler further seeks permission to render a local passenger

service within the city limits of Riverside which will be connected with and will form a part of the operations above described. This intracity operation is designated as the Fairmount Park Line. The complete run is about 4 miles in length and serves an area north and west of the central part of the city. Included in this run are Fairmount Park and what is known as the Southern California Fair Grounds.

It is shown by the application that the La Sierra College, which has an enrollment of 570 students, is located at La Sierra Heights. The commercial center closest to the college is at Arlington. No public transportation facilities are available between Arlington and La Sierra College, a distance of from 3 to 4 miles. Applicant proposes to render such service as part of his operation between Riverside and La Sierra Heights.

Service is performed at the present time by Pacific Electric Railway from Riverside to the junction of Magnolia and Hole Avenues, which intersection is approximately one-half mile south of Arlington. Applicant does not intend to provide local service in the above-mentioned territory where Pacific Electric Railway operates. Pacific Electric Railway advised the Commission in writing that it had no objection to the granting of this application, provided the certificate prohibited Butler from transporting passengers locally in Riverside between the intersections of 7th and Market Streets and Hole and Magnolia Avenues, inclusively, and points intermediate to such intersections. It is not intended, however, that such restriction shall prevent applicant from carrying passengers from points within the restricted area to points outside thereof, or from points outside such area into it.

Attached to the application and made a part thereof is a letter from the manager of the Canyon Crest Heights federal housing project. He states that this development is a defense housing project constructed to accommodate United States Army personnel from March Field and Camp Haan. Canyon Crest Heights is designed to house approximately 1,000 persons. No public transportation is available between the project and Riverside. The manager urges favorable consideration of this application. He says the usefulness of the project depends upon adequate transportation for the tenants.

It is alleged in the application that no transportation service is provided in Riverside to the fair grounds and the territory Butler intends to serve by what he terms the Fairmount Park Line. A resolution of the city council of Riverside, approving the proposed service of Butler in that city and granting him a permit to operate therein, was attached to and made a part of the application herein.

A proposed tariff and time schedule were filed with the application. These documents show that Butler plans to charge a one-way fare per passenger of 20 cents between Riverside and La Sierra Heights and 10 cents for each passenger one way between Arlington and La Sierra Heights. Three trips each way will be operated daily. The one-way fare from Riverside to the federal housing project will be 10 cents per passenger and 15 schedules a day will be run in each direction. On the Fairmount Park Line the fare will be 5 cents per person. Nineteen trips will be made each day. This line is a loop operation from applicant's terminal, around the fair grounds and back to the point of departure, with intermediate stops to pick up and discharge passengers.

Butler was, until recently, one of the owners of the A.B.H. Lines, a passenger stage corporation operating between Riverside and Camp Haan. It is asserted in the application that he has been in the automobile, bus and truck business for many years and for the past 2½ years has operated, as sole owner, the Blue and White Taxi Service in Riverside. The application alleges that, if the requested certificate is granted, Butler will use modern motor coaches of the size best fitted to meet the requirements of the service.

Full consideration of the application and the evidence pertaining thereto shows that there is a need for the service proposed and that Butler has sufficient transportation experience to conduct such operation. The Commission is of the opinion that a public hearing is unnecessary and finds that public convenience and necessity require that this application be granted.

O R D E R

IT IS ORDERED that a certificate of public convenience and necessity be and it is granted to W. Paul Butler, doing business as Riverside Rapid Transit Lines, authorizing him to operate an automotive passenger stage service, as that term is defined in Section 2½ of the Public Utilities Act, for the transportation of passengers and their baggage between his terminal at 7th and Market Streets in Riverside and:

1. La Sierra Heights, including the right to serve all intermediate points, except that no passengers may be transported locally in Riverside between the intersection of 7th and Market Streets and the intersection of Hole and Magnolia Avenues, but passengers may be transported to and from points within such restricted area to and from points outside of such area;

2. The Canyon Crest Heights federal housing project on Blaine Street, including the right to serve intermediate points;
3. Points on the route of what is termed the Fairmount Park Line which said line proceeds generally from said terminal along 7th Street to Cedar Street, Cedar Street to 3rd Street, 3rd Street to Redwood Drive, Redwood Drive to Fairmount Park, Fairmount Park to Crestmore Avenue, Crestmore Avenue to Rivera Street, Rivera Street to Strong Street, Strong Street to Main Street, Main Street to 1st Street, 1st Street to Market Street, Market Street to said terminal at 7th Street.

The certificate herein granted is subject to the condition that W. Paul Butler, his successors and assigns, may never claim before this Commission or any court or other public body, a value for such certificate in excess of the actual cost thereof.

IT IS FURTHER ORDERED that in the operation of said passenger stage service, W. Paul Butler 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 them at any time by further order, conduct said passenger stage operations over and along the following routes:

Between Riverside and La Sierra Heights, via Market Street, Magnolia Avenue and Hole Avenue;

Between Riverside and Canyon Crest Heights federal housing project, via Market Street, 1st Street, Olive Street, Blaine Street, Kansas Avenue and Linden Street;

Between applicant's terminal, Fairmount Park and the Southern California Fair Grounds, via 7th Street, Cedar Street, 3rd Street, Redwood Drive, Fairmount Park, Crestmore Avenue, Rivera Street, Strong Street, Main Street, 1st Street and Market Street.

3. Comply with the provisions of General Order No. 79 and Part IV of General Order No. 93-A by filing tariffs and time schedules in conformity therewith 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.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 12th day of November, 1941.

W. G. Smith
Ray R. Rice
Justin D. Coe
Francis R. Haven
Richard L. Baker
COMMISSIONERS