

ORIGINALDecision No. 34937

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 Loren W. Smith, doing business as)
 Citrus Belt Lines, for certificate of)
 public convenience and necessity to)
 extend his present bus transportation) Application No. 24699
 from the Motor Transit Depot in the)
 City of Pomona to the Fair Grounds in)
 the City of Pomona.)

BY THE COMMISSION:

O P I N I O N

In the above-entitled application, Loren W. Smith requests a certificate of public convenience and necessity authorizing the establishment and operation of a passenger stage service between his present terminal at Third and Main Streets, Pomona, and the encampment of the 108th United States Infantry at the Los Angeles County Fair Grounds situated in the north-westerly portion of the city of Pomona, as an extension and enlargement of his present operative right. The fair grounds are located about 2.5 miles from that terminal. Applicant is now providing service as a passenger stage corporation between Pomona, Ontario, Upland, Chino and Corona.

In support of the application, it is asserted that there are approximately 3,000 United States troops presently encamped at the fair grounds; that there are no other transportation facilities available except army trucks; that the commanding officer of the encampment has requested applicant to establish the proposed service and has represented to applicant that there is an urgent and immediate need therefor.

Applicant proposes to charge a one-way fare of ten cents. Schedules will be operated at such times as will suit the convenience of the military command.

The only other carrier in the field which may serve the Los Angeles County Fair Grounds is Pacific Electric Railway which provides an automotive service only during the time that the annual Los Angeles County Fair is held at those grounds. It appears that a public hearing is not necessary and we hereby find that public convenience and necessity require the establishment and operation of the proposed service. The application will be granted.

O R D E R

The Commission having duly considered this matter and it having been found that public convenience and necessity so require:

IT IS ORDERED that a certificate of public convenience and necessity be and it hereby is granted to Loren W. Smith for the establishment and operation of service for the transportation of passengers, as a passenger stage corporation as defined in section 2 $\frac{1}{2}$ of the Public Utilities Act, between points within the city of Pomona, as an extension and enlargement of the operative right heretofore created by Decision No. 33402, dated August 13, 1940.

The foregoing certificate is granted subject to the condition that Loren W. Smith, 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 in the operation of the passenger stage service pursuant to the foregoing certificate, Loren W. Smith shall comply with and observe the following service regulations:

1. Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the effective date hereof.
2. Applicant shall comply with the rules of the Commission's General Order No. 79 and Part IV of General Order No. 93-A by filing, in triplicate, and concurrently making effective tariffs and time schedules satisfactory to the Commission within thirty (30) days from the effective date hereof and on not less than one day's notice to the Commission and the public.
3. Subject to the authority of this Commission to change or modify such at any time by further order, applicant shall provide service over and along the following route:

Beginning at the intersection of Third and Main Streets, thence over and along Third Street, Garey Avenue, Walnut Street, Tolman Avenue and thence over the most appropriate street to the Los Angeles County Fair Grounds.

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

Dated at San Francisco, California, this 19th day of January, 1942.

[Signature]
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 COMMISSIONERS