

ORIGINAL

Decision No. 35191

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CELINE CUMMINGS, doing business as)
A B C TAXI CO., for a certificate)
of public convenience and necessity)
to operate an automotive stage)
service for the transportation of)
passengers and baggage between El)
Monte and certain adjacent points)
located within the County of Los)
Angeles, State of California.)

Application No. 24193

DON E. PETTY, for applicant:

FRANK KARR and E.L.H. BISSINGER, for
Pacific Electric Railway Company,
interested party.

H. C. LUCAS, H. D. RICHARDS and R. F.
HOWLETT, for Pacific Greyhound Lines,
interested party.

J. K. HAWKINS, for El Monte Taxi Company,
interested party.

BY THE COMMISSION:

O P I N I O N

Applicant seeks authority for a certificate of public convenience and necessity under Section 50½ of the Public Utilities Act of the State of California to establish a common carrier service for the transportation of passengers, as a passenger stage corporation, as that term is defined in Section 2½ of said Act, between El Monte and certain adjacent areas, and
(1)
between said areas.

(1) Exhibit "A" of application.

A public hearing was held at Los Angeles before Examiner Cameron on June 19, 1941, at which time evidence was received, the matter was submitted and it is now ready for decision.

The Pacific Electric Railway Company withdrew its protest pursuant to a stipulation by which applicant agreed to restrict the method of operation along Garvey Avenue, San Bernardino Road-Ramona Boulevard and Valley Boulevard.

The material facts developed at the hearing are without conflict and may be briefly stated as follows:

Applicant, Celine Cummings, has conducted a taxi service at 401 West Valley Boulevard, in the City of El Monte, under the fictitious name of A B C Taxi Company, for approximately three years. In the past five years, and particularly during the last eighteen months, there has been a considerable increase in population in El Monte and in certain areas beyond but adjacent to its city limits, completely surrounding the city. Each of these areas has developed into a distinct community with a business district and supporting residential districts. There are three of these areas, and they have been referred to in the record herein as Areas (1), (2) and (3). Area (1) is commonly known as North El Monte. Area (2) embraces that territory south of the City of El Monte, commonly referred to as South El Monte. Area (3) is to the west of the City of El Monte and is known as West El Monte.

Several witnesses testified in effect that business requires them to travel from one area to another and to the city of El Monte frequently, at regular as well as irregular intervals

and that a transportation service is needed to enable them to do so. There is no common carrier service available for such transportation at present.

The geographic location and highway development between said areas and between each of said areas and the City of El Monte will make it necessary for applicant, in performing the service, to operate generally along well defined routes. Between Area (1) and Area (3) there is only one central connecting highway, Lower Azusa Road. Between Area (3) and Area (2) there are several connecting highways, although there is only one improved highway, Rosemead Boulevard, which would usually be traversed in transporting passengers to and from said areas. The same situation exists between Area (1) and Area (2), in which case applicant must travel from Area (2) by way of Durfee Avenue to Valley Boulevard, thence westerly along Valley Boulevard to Peck Road, thence northerly along Peck Road to Area (1). However, in picking up and discharging passengers transported over those routes, applicant would be required to operate laterally thereto from time to time over all the streets and highways in the areas.

It is proposed that this service will be operated during certain periods of the day with some regularity, but in any event it will be an on-call service and available at any time.

As outlined in Exhibit "B" of the application, the charges for the proposed service are to be on an individual and group basis.

Applicant has available sufficient equipment or is in a position to secure such additional equipment as may be necessary to conduct the proposed service. Applicant's experience in conducting a taxi service in all of said areas and in the City of El

Monte has familiarized him with the demands of the traveling public and has ably qualified him to perform the proposed transportation service.

From a full consideration of all of the evidence it is apparent that there is a need for a transportation service between said areas and between each of said areas and El Monte, and it is hereby found as a fact that public convenience and necessity require said transportation service, and the application will, therefore, be granted.

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 Celine Cummings, authorizing the establishment and operation of a service as a passenger stage corporation, as defined in Section 24 of the Public Utilities Act, for the transportation of passengers and their baggage between the following described areas:

AREA (1). Commencing at Valley Boulevard and Peck Road; Southeast on Valley Boulevard to San Gabriel River Channel; North along said San Gabriel River Channel to Michigan Avenue; Northwest on said Michigan Avenue to Peck Road; Northeast on Peck Road to Live Oak Avenue; West on Live Oak Avenue to Baldwin Avenue; South on Baldwin Avenue to Lower Azusa Road; East on Lower Azusa Road to Arden Drive; South on Arden Drive to Valley Boulevard; East on Valley Boulevard to East boundary line of El Monte City Limits, North on said West boundary line of said City Limits; East along North boundary line of said City of El Monte; South on East boundary line of said City to point of beginning.

AREA (2). Beginning at Valley Boulevard and Peck Road; Southeast on Valley Boulevard to Los Angeles County Flood Control Channel of San Gabriel River; Southwest on said Channel to San Gabriel Boulevard; Northwest on San Gabriel Boulevard to River Avenue; North on River Avenue to Garvey Avenue; West on Garvey Avenue to South boundary line of City of El Monte; West along said South boundary line; North along West boundary line to point of beginning.

AREA (3). Commencing at Valley Boulevard and West boundary line of City of El Monte, Southwest on said West boundary line to Garvey Avenue; West on Garvey Avenue to Muscatel Avenue; North on Muscatel Avenue to Broadway; East on Broadway to Sunset Boulevard; South on Sunset Boulevard to Olive Street; East on Olive Street to Baldwin Avenue; South on Baldwin Avenue to Lower Azusa Road; East on Lower Azusa Road to Arden Drive; South on Arden Drive to Valley Boulevard; East on Valley Boulevard to point of beginning;

and between each of said areas and the City of El Monte, subject to the following restrictions:

- (a) Said service shall be operated at regular periods during the day as public demand requires, with a right also to perform said service as a strictly on-call service.
- (b) No passengers shall be transported whose origin and destination are both within the area bounded by lines parallel to and one-fourth mile distant from Garvey Avenue, San Bernardino Road-Ramona Boulevard, or Valley Boulevard within Areas (1), (2) and (3).

- (c) In the performance of said service applicant is authorized to traverse routes and highways between said areas and between each of said areas and the City of El Monte to the exterior boundary line of each of said areas; with the right to traverse all public streets and highways in said areas and in the City of El Monte laterally on either side of the routes or highways used to pick up and deliver passengers, and to traverse such highways and public streets laterally on either side thereof as public demand requires.
- (d) Celine Cummings, her successors or assigns, may never claim before this Commission, or any Court or 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 said service pursuant to the foregoing certificate, Celine Cummings 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 effective 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:
 - (A) Between El Monte and Area (1) via Tyler Avenue, San Bernardino Road and Peck Road.
 - (B) Between El Monte and Area (2) via Hoyt Street, Tyler Avenue, Meeker Road and Durfee Avenue.
 - (C) Between El Monte and Area (3) via Valley Boulevard.
 - (D) Between Area (1) and Area (2) via Peck Road, thence westerly on Valley Boulevard to Meeker Road, thence southeasterly on Meeker Road to Elliott Avenue, and thence on Elliott Avenue to Durfee Avenue.

As an alternate route, southeasterly on Valley Boulevard to Durfee Avenue and thence southerly on Durfee Avenue.

(E) Between Area (2) and Area (3) via
Rosemead Boulevard.

(F) Between Area (3) and Area (1) via
Lower Azusa Road.

3. Comply with the provisions 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 sixty (60) days from the effective date hereof and on 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 31st day
of March, 1942.

Ray Miller

M. B. Kelly

Francis R. Stanger

Richard R. Chase

 COMMISSIONERS