

Decision No. 35721**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 HENRY F. ADAMS, ALBERT C. HAMLIN and )  
 EMERSON J. PANN, doing business under ) Application No. 25171  
 the firm name and style of A. B. H. )  
 LINES, for an alternate, and/or ad- )  
 ditional revised routing. )

BY THE COMMISSION:

O P I N I O N

Henry F. Adams, Albert C. Hamlin and Emerson J. Pann, doing business as A. B. H. Lines, by the above-entitled application request a certificate of public convenience and necessity authorizing them to employ certain additional routes when rendering passenger stage service between Riverside, Camp Haan and intermediate points.

The operative rights exercised by applicants were created by Decisions Nos. 33824 and 34513, in Application No. 23938. Adams, Hamlin and W. Paul Butler were the original grantees of such rights. Transfer of Butler's interest to Adams, Hamlin and Russell E. Denney was authorized by Decision No. 34643, in Application No. 24458. Subsequently, transfer of Denney's interest to Adams, Hamlin and Emerson J. Pann was authorized by Decision No. 35030, in Application No. 24727.

To effect their service pursuant to the rights above referred to, applicants adopted a route between Riverside and Camp Haan leaving their terminal at 3755 Market Street, proceeding south on Market Street to Eighth Street, thence easterly on Eighth

Street to U. S. Highway No. 60, thence southerly along U. S. Highway No. 60 to U. S. Highway No. 395, thence southerly along U. S. Highway No. 395 to the Camp. Such route is the most convenient and direct between the points to be served. Applicants desire to retain the right to use it. However, they wish authority to employ auxiliary routes also.

It is alleged in the application that the State is in the process of reconstructing a highway between the easterly city limits of Riverside on Eighth Street and Camp Haan. This work, it is asserted, causes considerable traffic congestion along much of the route used by applicants. It is averred also that at times it is necessary or desirable to use a route between Camp Haan and Riverside other than that ordinarily followed in order to better accommodate military and civilian personnel of the Camp.

Applicants wish to proceed along Market Street, Fourteenth Street, Pennsylvania Avenue, U. S. Highway No. 60 and U. S. Highway No. 395 to Camp Haan as one additional route. Another route sought would follow Market Street, Magnolia Avenue, Central Avenue, and a county highway known as the Old Elsinore Road, Alesandro Boulevard, and U. S. Highway No. 395. The third route applicants seek to employ is the same as the one just described to the intersection of the Old Elsinore Road and Alesandro Boulevard, but from that point this route proceeds along a county highway, designated as the New Elsinore Road, to Arlington Road, thence along such road to the Camp.

No other common carriers would be adversely affected by applicants' proposal. This does not appear to be a matter necessitating public hearing. The application will be granted. However, as the granting of this application will require amendment of the existing certificate, and as the operative rights in

question were created and transferred by several different decisions, it seems advisable for the sake of clarity to restate such rights and to grant a new certificate in lieu of the operative rights and authority previously granted. Therefore, this will be done in the order.

O R D E R

After full consideration of this matter and the evidence pertaining thereto, and the Commission being of the opinion and now finding that public convenience and necessity so require:

IT IS ORDERED that Henry F. Adams, Albert C. Hamlin and Emerson J. Pann, doing business as A. B. H. Lines, are granted a certificate of public convenience and necessity authorizing them to operate as a passenger stage corporation, as that term is defined by Section 2 $\frac{1}{2}$  of the Public Utilities Act, between Riverside, Camp Haan and intermediate points in lieu of, and not in addition to, the operative rights granted by Decisions Nos. 33824 and 34513, in Application No. 23938, which said rights created by said decisions are cancelled and revoked hereby.

The foregoing certificate is granted subject to the following condition:

Henry F. Adams, Albert C. Hamlin and Emerson J. Pann, their 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 said passenger stage service, Henry F. Adams, Albert C. Hamlin and Emerson J. Pann, doing business as A. B. H. Lines, 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. 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 sixty (60) days from the effective date hereof and on not less than one (1) day's notice to the Commission and the public.
3. 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 applicants' terminal at 3755 Market Street, Riverside and Camp Haan:

- a. Via Market Street, Eighth Street, U. S. Highway No. 60 and U. S. Highway No. 395;
- b. Via Market Street, Fourteenth Street, Pennsylvania Avenue, U. S. Highway No. 60 and U. S. Highway No. 395;
- c. Via Market Street, Magnolia Avenue, Central Avenue, the county highway known as Old Elsinore Road, Alessandro Boulevard and U. S. Highway No. 395;
- d. Via Market Street, Magnolia Avenue, Central Avenue, the county highway known as Old Elsinore Road, the county highway known as New Elsinore Road, and Arlington Road.

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

Dated at San Francisco, California, this 14 day of September, 1942.

Justin J. Galloway  
W. H. [unclear]  
Francis L. Haveman

COMMISSIONERS