

ORIGINAL

Decision No. 35733

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Santa Fe Transportation Company, a California corporation, for a certificate of public convenience and necessity to operate a passenger stage service, as a common carrier of passengers and baggage, between Los Angeles, California, and the California-Arizona State Line, via Blythe.

Application No. 25109

WILLIAM F. BROOKS, for Applicant.

BY THE COMMISSION:

O P I N I O N

In this proceeding Santa Fe Transportation Company, a subsidiary of The Atchison, Topeka & Santa Fe Railway Company (referred to herein for brevity as the Santa Fe), seeks a certificate of public convenience and necessity under section 50 1/2, Public Utilities Act, authorizing operation as a passenger stage corporation, as defined by section 2 1/2 of that Act, between San Bernardino and the California-Arizona State Line, via Blythe, to be consolidated with applicant's existing operative rights. Both San Bernardino and Blythe are reached by Santa Fe rails, they being main and branch line points, respectively. A public hearing was had before Examiner Austin at Los Angeles, on July 30, 1942, when the matter was submitted.

Santa Fe Trail Transportation Company (referred to herein as the Trail Company), also a Santa Fe subsidiary with which applicant is closely associated, conducts an interstate bus service between Chicago, Los Angeles, San Diego and San Francisco and between Los Angeles and Phoenix, traversing, in California, the route via Blythe, Indio and San Bernardino. Intrastate operative rights have been granted by the New Mexico and the Arizona Commissions. In California,

wherever the interstate operations of the Trail Company coincide with applicant's intrastate operations, both carriers use the same equipment to provide the service, and maintain joint station facilities.

The certificate sought would permit applicant to operate between San Bernardino and the California-Arizona State Line at the Colorado River, approximately seven miles east of Blythe. No local service would be conducted between San Bernardino and Blythe and intermediate points, such as Redlands, Beaumont, Banning, Indio and Desert Center. Applicant asks that this certificate be consolidated with its existing passenger stage operations in California, which include, generally speaking, operative rights between San Francisco Bay points and Los Angeles via the San Joaquin Valley; between Hanford and Porterville, via Visalia, Exeter and Lindsay; between Los Angeles and San Diego, via Long Beach and Oceanside; and between Los Angeles and California-Arizona State Line east of Needles, via Pomona, Ontario, Riverside, Colton, San Bernardino, Victorville, Oro Grande, Barstow, Daggett, Ludlow and Amboy. Between Los Angeles and San Bernardino, applicant is precluded from serving the intermediate points themselves, but it may carry passengers between them and points on its other lines.

To provide this service applicant plans to use jointly with Trail Company the equipment employed by the latter in conducting its interstate operations. The fares to be established would be conformable to those now prevailing in applicant's intrastate service. One schedule daily would be operated in each direction, the original proposal of two round trips daily having been modified to meet the requirements of the Federal Office of Defense Transportation.

Applicant's proposal contemplates the utilization to its maximum capacity of the equipment now operating over this route. At but little additional cost, the through stages now handling the interstate traffic could also accommodate intrastate passengers desiring to travel to and from Blythe. Sufficient space, it was shown, is available for this purpose.

A service more adequate than that now available through the Santa Fe rail facilities would be offered the public. The journey by rail between

Los Angeles and Blythe, a distance of 331 miles, now consumes nineteen hours eastbound and seventeen hours westbound. Applicant's buses would traverse in seven and one-half hours the highway distance of 230 miles between these points.

A substantial public demand for this service was shown to exist. Throughout a period of many months, applicant frequently has been requested by residents of Blythe and the Palo Verde Valley and, also, by military personnel, to establish a local bus service between Blythe and San Bernardino and other communities it now serves. Similar requests have been reported by applicant's agents at other points.

Pacific Greyhound Lines, which also serves this territory, has no objection to applicant's proposal. No other passenger stage line would be affected.

In our judgment a public need exists for the establishment of the service, and accordingly the application will be granted. Pursuant to applicant's request, the provisions of Decision No. 35209, in Application No. 24777, temporarily suspending conditions Nos. 3 and 7 of Decision No. 30790, relating to the maintenance of parity of fares and the interchangeability of tickets at common fares between applicant and Santa Fe, will be extended to include the present certificate.

ORDER

Application having been made as above-entitled; a public hearing having been had; and the Commission being of the opinion and now finding that public convenience and necessity so require:

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be and it hereby is granted to Santa Fe Transportation Company, a corporation, authorizing operation as a passenger stage corporation as defined by section 24, Public Utilities Act, for the transportation of passengers and baggage between San Bernardino and the California-Arizona State Line near Blythe as an extension of and to be consolidated with the operative rights heretofore granted to applicant

by Decision No. 28606, as amended, in Application No. 19485, and by Decision No. 30790, as amended, in Application No. 20170 and associated applications.

Said certificate is granted subject to the following conditions:

(a) Applicant shall not transport any passengers or baggage between San Bernardino and Blythe, respectively, on the one hand, and any point or points intermediate thereto, on the other hand, nor between any such intermediate points themselves.

(b) The service performed hereunder by Santa Fe Transportation Company shall be limited to that which may be auxiliary to, or supplemental of, and it shall be co-ordinated and integrated with, the rail service of The Atchison, Topeka & Santa Fe Railway Company.

(c) Santa Fe Transportation Company, its 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.

(2) That the provisions of Decision No. 35209, rendered March 31, 1942, in Application No. 24777, relating to the temporary suspension of conditions Nos. 3 and 7 contained in the order in Decision No. 30790, in Applications Nos. 20170, 20171, 20172 and 20173, in so far as they may have required the maintenance of parity of fares and the interchangeability of tickets at common fares between Santa Fe Transportation Company and The Atchison, Topeka & Santa Fe Railway Company, shall be and they are hereby extended to, and shall be deemed to apply to and include, the certificate of public convenience and necessity hereinabove granted.

(3) That, in the operation of said passenger stage service, Santa Fe Transportation Company shall comply with and observe the following service regulations:

(a) Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the date hereof.

(b) Applicant shall comply with the provisions of 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.

(c) Subject to the authority of this Commission to change or modify them at any time by further order, applicant shall conduct said passenger stage service over and along the following routes:

From San Bernardino over unnumbered highway to junction with U. S. Highways Nos. 99 and 70; thence via U. S. Highways Nos. 99 and 70 to Beaumont; thence via U. S. Highways Nos. 60, 70 and 99 to Indio; thence via U. S. Highways Nos. 60 and 70 to the California-Arizona State Line at the Colorado River, via Desert Center and Elythe. Returning over the same route.

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

Dated at San Francisco, California, this 1st day of September

1942.

Justice J. Casner

[Signature]

Francis R. Havenner

Commissioners.