

Decision No. 35820
~~15520~~**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of FRESNO CITY LINES,)
 INC., for a certificate of public convenience and)
 necessity to operate a motor bus route for a trial) First Supple-
 period of ninety (90) days, performing limited) mental
 service for the transportation of passengers between) Appl. No. 24937
 Inyo and Fulton Streets, Fresno, and Palm and Shaw)
 Avenues in the Fig Garden district north of Fresno,)
 over the route described in this Application.)

In the Matter of the Application of D. MOYERS for a)
 certificate of public convenience and necessity to)
 transport passengers, baggage and express between) Application
 Fresno, in Fresno County, and Camp Pinedale, a sub-) No. 25219
 post of Hammer Field, in Fresno County, and to con-)
 solidate same with remainder of Applicant's system.)

Gilbert H. Jertberg, for Applicant Fresno City Lines, Inc.
 G. Levin Aynesworth, for Applicant Moyers Stages
 C. M. Ozias, City Attorney, for City of Fresno
 Fred Baruch, Jr., for Fig Garden Men's Club, Interested Party
 O. A. Rowan) For Amalgamated Ass'n of Street Electric Rail-
 C. C. Brown) way and Motor Coach Employees of America,
 L. A. Bowes) Interested Parties
 T. O. O'Rear, Fresno Labor Council
 Lieut. Jas. B. Armogida, for Commanding Officer of Hammer
 Field and Camp Pinedale.

BY THE COMMISSION:

O P I N I O N

In First Supplemental Application No. 24937, Fresno City Lines, Inc., and in Application No. 25219, Moyers Stages, permission is sought to perform passenger stage service between the recently established Army Base at Pinedale, Fresno County, and the City of Fresno.

A public hearing in these matters was held before Examiner Hall on September 30, 1942, in the City of Fresno.

At the opening of the hearing the representative of Applicant Moyers Stages, asked that Application No. 25219 be dismissed, and it will be so ordered. Consequently only testimony was taken in connection with the application of Fresno City Lines, Inc.

As a part of its existing service Fresno City Lines, Inc., operates a motor coach service between the business district of Fresno and the Fig Garden district, a residential area north of the north city limits of Fresno, through the center of which runs Van Ness Boulevard, a main north and south thoroughfare. (1)

In the Fig Garden area applicant operates a service around a loop from the intersection of Van Ness Boulevard and Lansing Way, thence west along Lansing Way, north on Wilson Avenue, west on Rialto Avenue, north on Palm Avenue, east on Shaw Avenue, south on Wishon Avenue, and east on Griffith Avenue to Van Ness Boulevard, thence south on Van Ness Boulevard over the regular route to the city; all of which is shown on Exhibit "A" attached to and made a part of the application.

Applicant proposes to abandon its loop service and in lieu thereof extend its service north along Van Ness Boulevard from Lansing Way to the intersection of Shaw and Palm Avenues, thence north on Palm Avenue, a distance of 2.1 miles, to the main gate of the Pinedale Army Base, and return via the same route.

The record shows that between 100 and 200 men are now stationed at Camp Pinedale. The representative of the Army advised that their force will be materially augmented within the next few weeks and that in all probability many thousand men and officers will be stationed there in the next few months. He stressed the need for such a service, not only for the enlisted personnel stationed at Camp Pinedale but also for the officers who live in Fresno.

(1) By Decision No. 35328, the Commission issued its order granting to Fresno City Lines, Inc., a certificate of public convenience and necessity to operate a passenger stage service between the business district of Fresno and the unincorporated Fig Garden area, on a trial basis.

Applicant proposes a minimum service at the start, without the use of any additional equipment, but has equipment readily available to augment the service as required.

The fare proposed is 15 cents one way, 25 cents round trip, or a book of 20 commute tickets for \$2.00.

The representative of the Fig Garden Men's Club, as well as other parties appearing, supported the granting of this application. The City of Fresno did not oppose the granting of the application but did not want such service to cause an impairment of the existing city service. Applicant assured the City that the proposed service would not be disadvantageous to the City but, on the other hand, would be beneficial. In its present Fig Garden service applicant does not perform any local service in the city, but upon inauguration of the extended route local city service will be performed to augment the service on the Wishon line.

A review of the entire record leads us to the conclusion that the application should be granted, and it will be so ordered.

O R D E R

A public hearing having been held and the matters taken under submission

IT IS HEREBY ORDERED:

I. That Application No. 25219 is hereby dismissed without prejudice.

II. That Fresno City Lines, Inc., is hereby authorized to abandon that portion of its Fig Garden route, as authorized by Decision No. 35328, described as follows:

Commencing at the intersection of Van Ness Boulevard and Lansing Way, thence west along Lansing Way to Wilson Avenue, thence north along Wilson Avenue to Rialto Avenue, thence west along Rialto Avenue to Palm Avenue, north along Palm Avenue to Shaw Avenue, thence east and south along Wishon Avenue to Griffith Avenue, west along Griffith Avenue to Van Ness Boulevard, and south on Van Ness Boulevard to Lansing Way, the point of beginning,

subject to the condition that said abandonment will become effective concurrently with the establishment of the service hereinafter authorized.

III. That a certificate of public convenience and necessity be and it is hereby granted to Fresno City Lines, Inc., authorizing the establishment and operation of an automobile passenger stage service for the transportation of passengers, as a passenger stage corporation as defined in Section 24 of the Public Utilities Act, between the City of Fresno on the one hand and the so-called Pinedale Army Base on the other hand, all in the County of Fresno, and consolidate same with the remainder of its operating routes, subject to the following condition:

Fresno City Lines, Inc., its successors or assigns, shall 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.

IV. That in the operation of said passenger stage service pursuant to the foregoing certificate, Fresno City Lines, Inc., 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. Subject to the authority of this Commission to change or modify such at any time in the future, applicant shall conduct such passenger stage operation over and along the following route:

Commencing at the intersection of Fulton Street and Fresno Street, thence south along Fulton Street to Mariposa Street, west on Mariposa Street to Broadway, north on Broadway to Fresno Street, east on Fresno Street to Fulton Street, north on Fulton Street and North Fulton Street to Olive Avenue, west on Olive Avenue to Wishon Avenue, north on Wishon Avenue to University Avenue, west on University Avenue to Van Ness Boulevard, north on Van Ness Boulevard to its intersection with Shaw Avenue and Palm Avenue, and north on Palm Avenue to the main gate of Pinedale Army Base.

3. Applicant shall comply with the provisions of General Order No. 79 and Part IV of General Order No. 93-A, by filing in conformity therewith tariffs and time schedules in triplicate within sixty (60) days from the effective date of this order, and making them effective on not less than one (1) day's notice to this Commission and the public.
4. Applicant is authorized to turn its motor vehicles at termini or intermediate points, either in the intersection of the streets or by operating around a block contiguous thereto in either direction, and to carry passengers as traffic regulations of the political subdivision may require.

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

Dated at San Francisco, California, this 6th day of
October, 1942.

Justus F. Coenen

H. H. Bell

Francis R. Havens

Richard H. Baker
Commissioners