

Decision No. 35941

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 RICHARD C. WINCHELL and JOSEPH B. )  
 MORALICE, co-partners, doing business )  
 as M & W BUS LINE, for certificate of )  
 public convenience and necessity to )  
 operate an automotive service for the ) Application No. 25215  
 transportation of passengers and their )  
 baggage between Santa Ana, Tustin, and )  
 the Naval Air Station (L.T.A.) near )  
 Tustin. )

BY THE COMMISSION:

ORIGINAL

O P I N I O N

In the above entitled application Richard C. Winchell and J. B. Moralice, doing business as M & W Bus Line, request a certificate of public convenience and necessity to operate a service as a passenger stage corporation for the transportation of passengers and their baggage between Santa Ana, Tustin and the Naval Air Station (L.T.A.) located southeasterly of Tustin, approximately two miles, all in Orange County, California.

The application alleges substantially that a new air station is now in the course of construction on Redhill Avenue, approximately 2 miles southeasterly of Tustin and lying southerly from U. S. Highway No. 101, and at the present time there are a number of workmen employed at this base, many of whom reside in Santa Ana and Tustin; that the restricted use of privately owned automobiles has recently increased the demand for the proposed service; and that upon the completion of the construction job there will be a considerable personnel at said base, who will require the facilities afforded by this service. The proposed service is designed chiefly to serve the needs of the residents of Santa Ana,

Tustin, the Naval Air Station and such others who find it necessary to travel between Santa Ana and Tustin and from these latter points to and from the new air base. It is further stated that there is no passenger service either by rail or stage which affords the service proposed herein.

Applicants propose to charge a 20 cent fare between Santa Ana and said air base and a 10 cent fare between Tustin and said air base. Between Santa Ana and Tustin the proposed fare would be 15 cents. Applicants propose 17 morning schedules from Santa Ana, 5 of which would be operated through Tustin to the Naval Air Station. There would be 10 afternoon schedules, 7 between Santa Ana and Tustin, and 3 between Santa Ana and the Naval Air Station, through Tustin.

The application states further that Richard C. Winchell at one time had been engaged in conducting a passenger stage service between Santa Ana and Tustin for approximately five years and is experienced and qualified to perform the service for which authority is requested.

It appears that there is a public need for the proposed service and an ex parte order will be entered accordingly.

O R D E R

It being hereby found that public convenience and necessity so require,

IT IS ORDERED that a certificate of public convenience and necessity is hereby granted to Richard C. Winchell and

Joseph B. Moralice, doing business as M & W Bus Line, authorizing the establishment and operation of service as a passenger stage corporation, as defined by section 2 $\frac{1}{2}$  of the Public Utilities Act, for the transportation of passengers and their baggage between Santa Ana and the Naval Air Station located approximately two miles southeast of Tustin, serving the intermediate point of Tustin, subject to the following conditions:

1. Richard C. Winchell and Joseph B. Moralice, doing business as M & W Bus Line, their successors or assigns, may never claim before this Commission, or any court or other public body, a value, for any purpose, for the certificate herein granted in excess of the actual cost incurred by them in securing said operative authority.
2. The authority herein granted shall expire one hundred eighty (180) days after the cessation of present hostilities unless extended by further order of the Commission.

IT IS FURTHER ORDERED that in the operation of passenger stage service pursuant to the foregoing certificate the following service regulations shall be observed:

1. Applicants 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. Applicants 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 sixty (60) days from the effective date hereof and on not less than five (5) days' notice to the Commission and the public.
3. Subject to the authority of this Commission to change or modify it at any time by further order, applicants shall conduct said passenger stage operations over and along the following route:

Commencing at the corner of Fourth and Main Streets in the City of Santa Ana, thence easterly on Fourth Street to Wright Street, south on Wright Street to First Street, also referred to as Highway 101, easterly on First Street (Highway 101) to "D" Street in Tustin, south on "D" Street approximately one-half mile to Newport Road, southerly on Newport Road approximately 1 1/2 miles to Valencia Avenue, easterly on Valencia Avenue one-half mile to Naval Air Station (L.T.A.), and returning the reverse of said route.

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

Dated at San Francisco, California, this 5<sup>th</sup> day of November, 1942.

Justus J. Casner

J. H. Baker

Francis D. Havens

Richard Kachner

COMMISSIONERS