

36375

Decision No. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
ARTHUR M. BOWERS, also known as MR.)
A. M. BOWERS, for certificate of public)
convenience and necessity to operate a)
bus service, as a common carrier, be-)
tween National City, California, and)
Lincoln Acres, California.)

ORIGINAL

Application No. 25488

ARTHUR M. BOWERS, in propria persona

S. E. MASON and DALE HARLAN, for San Diego
Electric Railway Company, protestant.

BY THE COMMISSION:

O P I N I O N

Arthur M. Bowers, an individual, seeks authority to establish a passenger stage service between National City and Lincoln Acres, an unincorporated section in San Diego County, and intermediate points.

Public hearing was held before Examiner Cameron at San Diego on March 18, 1943, evidence was received, the matter was submitted, and is now ready for decision.

It was shown that applicant has been engaged in conducting a passenger stage service exclusively in National City for the past two years, operating chiefly between National Avenue and 1st Street, and the Valley Sanitarium. The proposed service would provide transportation to Lincoln Acres, a residential area recently developed south of National City on Granger Avenue, where a great many defense workers live.

Pursuant to many requests, applicant commenced a service within National City from National Avenue and 1st Street, southerly on National Avenue to 8th Street, easterly on 8th Street to "D" Avenue, southerly on "D" Avenue to 18th Street, easterly on 18th Street to Granger Avenue and southerly on Granger Avenue to the city limits, the present terminus of applicant's operation. Passengers living beyond the city limits are required to walk or use their cars between this terminus and their homes. The streets in this area are unlighted and hilly and many passengers, particularly women, need this service to save their cars and to eliminate the long walk through the dark and hilly streets at night. Applicant's proposed extended service southerly on Granger Avenue to Ridgeway Drive, thence southeasterly on Ridgeway Drive to 32nd Street and easterly on 32nd Street to Granger Avenue is designed to serve the residents of this district, known as Lincoln Acres, many of whom are defense workers.

The protest of San Diego Electric Railway Company was directed to the local service between the intersection of 18th Street and "L" Avenue, and the intersection of 1st Street and National Avenue, because the railway company operates several daily schedules, providing ample transportation in this area.

The evidence established that practically all of the traffic originating east of the intersection of 18th Street and "L" Avenue is destined to points north of the intersection of 8th Street and National Avenue, and traffic originating north of 8th Street and National Avenue is destined to points east of the intersection of 18th Street and "L" Avenue. The evidence further shows that the proposed service acts as a feeder service to the San Diego Electric Railway Company. The morning and evening schedules are

operated for workers who transfer to and from the San Diego Electric Railway service, and it is suggested that, in order to facilitate transfers, applicant's schedules should be arranged to conveniently connect with the rail schedules.

From a full consideration of the evidence, the Commission finds that public interest requires the granting of the application, subject to certain restrictions, and it will be so ordered.

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 Arthur M. Bowers, an individual, 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 between National City and Lincoln Acres, San Diego County, and intermediate points, subject to the following conditions and restrictions:

- (a) No passenger shall be transported having both origin and destination between the intersection of 18th Street and "L" Avenue and the intersection of 1st Street and National Avenue, all in National City.
- (b) The authority herein granted shall terminate ninety (90) days after the termination of the present war shall have been officially proclaimed, or until such earlier time as the Commission by further order may designate.
- (c) Arthur M. Bowers, his 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 him in securing said operative authority.

IT IS FURTHER ORDERED that in providing service pursuant to the foregoing certificate, the following service regulations shall be observed and complied with:

- (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) 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.
- (3) Applicant shall conduct said passenger stage operations over and along the following route, subject to the authority of this Commission to change or modify it at any time by further order.

Commencing at the intersection of 1st Street and National Avenue in National City, southerly on National Avenue to 8th Street, easterly on 8th Street to "D" Avenue, southerly on "D" Avenue to 18th Street, easterly on 18th Street to Granger Avenue, southerly on Granger Avenue to Ridgeway Drive and easterly and southerly to 32nd Street, the terminus; returning via 32nd Street to Granger Avenue, and thence in the reverse of said above route.

Applicant is authorized to turn his motor vehicles at termini, either in the intersection of the streets or by operating around a block contiguous to such intersection in either direction.

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

Dated at Los Angeles, California, this 25th day of May, 1943.

Francis K. Havenner
Justus G. Calver
Richard Taylor
Francis Lewis
 COMMISSIONERS