

Decision No. 37346

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
S. P. CARR and CHARLES P. RHINARD,)
doing business as, THE LAGUNA BEACH-)
SANTA ANA STAGE LINE)

ORIGINAL

For authority to discontinue operation)
as a common carrier over a certain)
portion of their franchise, namely)
that portion from the intersection of)
Palm and Bay Avenues, Balboa Beach to)
the intersection of Park and Onyx)
Avenues on Balboa Island, via Beek's)
Ferry.)

Application No. 26122

Also to re-route the remaining service)
on Balboa Island.)

CHARLES P. RHINARD, for applicants.

ROLAND THOMPSON, City Attorney; EARL STANLEY and
O. B. REED, city councilmen; O. E. JONES, Police
Judge, all of the City of Newport Beach,
interested parties.

HARRY WELCH, Secretary, and H. F. KENNEY, Chairman
of Transportation Committee of Newport Beach
Chamber of Commerce, interested parties.

BY THE COMMISSION:

O P I N I O N

S. P. Carr and C. P. Rhinard, partners doing business as
Laguna Beach-Santa Ana Stage Line, are engaged in the operation of
a passenger stage service between Santa Ana and Laguna Beach via
Newport Beach.

In the above entitled application, as amended, they request
the authority of the Commission to reroute their present service
between Balboa and Balboa Island, both of which are suburban areas
of the city of Newport Beach. The service presently conducted be-
tween Balboa and Balboa Island is along Palm Avenue, Beek's Ferry

across Balboa Bay, Agate Street and Park Avenue to the intersection of Onyx Avenue on Balboa Island. In lieu of operation over this route via the ferry, service between Balboa and Balboa Island would be provided by operating over applicant's present route along Palm Avenue, Central Avenue, U. S. Highway No. 101, Marine Avenue and Park Avenue to the intersection of Onyx Avenue. From this terminus on Balboa Island a loop would be completed by operation over Onyx Avenue and Balboa Avenue to the intersection of Marine Avenue thus obviating the necessity of making a "U" turn at the intersection of Onyx Avenue and Park Avenue. There would be no change in applicants' present fare structure.

A hearing was held in this matter June 23, 1944, at Newport Beach before Examiner Chiesa. Evidence having been adduced and the matter submitted, it is now ready for decision.

Representatives of the city of Newport Beach and local civic bodies who appeared at the hearing had no objection to applicants' plan of rerouting as described in the amended application.

Evidence of record shows that an average of only six passengers daily are picked up or discharged along Palm Avenue, Agate Street and Park Avenue between the intersection of Palm Avenue and Bay Avenue and the intersection of Park Avenue and Onyx Avenue; that service over the proposed new routing would be available to these passengers within a maximum distance of about four city blocks; that frequent delays of schedules over the route involved occur because of the limited carrying capacity of the ferry used between Balboa and Balboa Island; that the narrow

(1) The route presently operated was defined by Decision No. 27121, in Application No. 19453.

approaches to the ferry frequently cause damage to applicants' equipment; that due to the length and overhang of applicants' equipment the centers and rear ends thereof drag on the ferry approaches at high and low tide making it impossible to use the ferry at such times; and that the proposed rerouting would adequately serve the present public need and also enable applicants to reduce operating expenses.

Upon this record the Commission finds that the proposed rerouting of applicants' service is justified and in the public interest and the application will be granted.

O R D E R

A public hearing thereon having been had, the matter submitted, and it having been found that the public interest so requires,

IT IS ORDERED as follows:

(1) That S. P. Carr and C. P. Rhinard, partners doing business as Laguna Beach-Santa Ana Stage Line, are hereby authorized to operate over Onyx Avenue and Balboa Avenue between Park Avenue and Marine Avenue, Balboa Island, in lieu of their present operation over Park Avenue, Agate Street, Beck's Ferry and Palm Avenue between the intersection of Onyx Avenue and Park Avenue, Balboa Island, and the intersection of Palm Avenue and Bay Avenue, Balboa.

(2) Applicants 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, appropriate tariffs and time schedules 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.

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

Dated at San Francisco San Francisco, this 26
day of September, 1944.

Justus F. Casner
James D. Havens
George C. ...
Ira H. ...
COMMISSIONERS