

Decision No. 37486

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
HENRY B. ELBERT, doing business as)
THE ARVIN LINE, for authority to re-)
route extra and special buses, via)
U. S. Highway 466, as an alternate)
route, between Magunden and Edison)
Highway Junction, through Edison and)
Bena.)

Application No. 26331

BY THE COMMISSION:

O P I N I O N

In this application Henry B. Elbert, doing business as The Arvin Line, requests the authority of the Commission to re-route certain buses over U. S. Highway 466 between Magunden and Edison Highway Junction, through Edison and Bena, as an alternate route.

The presently exercised operative rights of applicant were acquired by Decision No. 23742 and provided for passenger stage service between Bakersfield and Arvin, California. Following this, Decision No. 25809 authorized applicant to operate a similar service between Bakersfield and Mojave, serving Edison Highway Junction, Clear Creek, Keene, Tehachapi, Monolith and all intermediate points by way of Arvin, and to operate an alternate route from Lamont to Arvin, via Di Giorgio Farm, as an extension of, and in addition to, applicant's rights between Bakersfield and Arvin.

The purpose of the instant applicant is to establish an alternate route over U. S. Highway 466 between Magunden and Edison

Highway Junction, to take care of special movements of through schedules, to be operated only when traffic demands so require, and in conjunction with applicant's present service between Bakersfield and Mojave.

It is proposed to arrange time schedules which will meet the necessities of the public using the service, and to make connections with north and south schedules of Inland Stages through Mojave.

Applicant justifies the request for the additional route on the ground that large numbers of civilian and military personnel are engaged in construction work at the Naval Ordnance Test Station at Inyokern, many of whom desire through transportation service between Bakersfield and Inyokern, via Mojave. Inyokern is located approximately 65 miles north of Mojave. Operation over the proposed alternate route will shorten the traveling time between Bakersfield and Mojave approximately 45 minutes; will avoid congestion of traffic in the Arvin area; and will offer a more direct route between the points involved. No changes in fares, nor in time schedules affecting the present service are contemplated, and no new service is proposed.

The Atchison, Topeka and Santa Fe Railway Company, which operates a service in the territory proposed to be served by applicant, has advised the Commission that it does not desire to protest the application provided the right granted be limited to the duration of the war and for six months thereafter. The duration of such need, however, is not now determinable in that it is based entirely upon military requirements. In view of this circumstance it would appear that no time limitation should be

placed upon the authorization herein granted. Instead, the matter should be reconsidered upon the filing by applicant, or by any competing carrier, of a supplemental petition inquiring into the need for continuance of the service after the war emergency has ended.

Reviewing the record herein, it appears to us that the proposed rerouting will improve the present service and result in a more economical operation. It is, therefore, appropriate that the application be granted. The nature of the proceeding is such that a public hearing is not necessary.

O R D E R

Application having been made in the above entitled matter and the Commission being duly advised,

IT IS ORDERED that Henry B. Eibert is hereby authorized, in the operation of his passenger stage service between Bakersfield and Mojave, as established by Decision No. 25809, dated April 10, 1933, to establish an alternate route for certain trips over and along the following route:

Over U. S. Highway 366 between Magunden and Edison Highway Junction.

Said alternate route shall be used only for special and extra schedules when required by traffic demands, and for no part of regular schedules provided for in Decision No. 25809, and no passengers shall be picked up or discharged over or along the alternate route hereinabove described.

Said authorization is granted without prejudice to the Commission's right, following the termination of the present war emergency, at the instance of applicant or any competing common carrier, or upon its own motion, to reconsider the need then existing for the further operation of said service, and to the modification or revocation of this order accordingly.

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

Dated at San Francisco, California, this 21st day of November, 1944.

Justus F. Cullen
Frank R. Havenner
Frank J. ...

COMMISSIONERS