

Decision No. 38774

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
PETE DRAKE, conducting as sole owner)
certain automobile passenger stage lines)
under the name of TERMINAL ISLAND TRANSIT)
CO., for the removal of restriction of)
carrying passengers between the inter-)
section of Henry Ford Avenue and Ocean)
Avenue on Terminal Island, and appli-)
cant's terminus in the city of Long Beach.)

ORIGINAL

Application No. 26506
1st Supplemental

WILLIAM N. DEATHERAGE, for applicant.

BEROL & HANDLER, by EDWARD M. BEROL, and
ORVILLE A. SCHULENBERG, for Long Beach
Motor Bus Company and Lang Motor Bus
Corporation, protestants.

IRVING M. SMITH, City Attorney, JOSEPH B. LAMB,
Deputy City Attorney, and J. R. McHENRY, for
City of Long Beach and Bureau of Franchises
and Public Utilities of City of Long Beach,
interested parties

O P I N I O N

By Decision No. 37931, dated May 24, 1945, applicant was authorized to establish and operate a service as a "passenger stage corporation" between Terminal Island and the city of Long Beach as an extension and enlargement of his operative rights on Terminal Island and vicinity.

This first supplemental application having been protested, the matter was heard publicly on February 13, 1946, at Long Beach, before Examiner Chiesa.

Service pursuant to said certificate was required to be conducted over and along a regular route (via the pontoon bridge across Cerritos Channel) and an alternate route described as follows:

"The following alternate route is to be used only when passage over the pontoon bridge spanning Cerritos Channel is not possible:

"Beginning at the juncture of Henry Ford Boulevard and the emergency Terminal Island cut-off road, thence along said road, Anaheim Street, Santa Fe Avenue, 9th Street, Pico Avenue, Broadway, Pacific Avenue to terminus at First Street, thence continuing along Pacific Avenue, Ocean Boulevard, Chestnut Avenue to Broadway."

Said certificate was granted subject to three restrictions, the one material in the consideration of this application being as follows:

"(b) When using the alternate route hereinafter described no passengers shall be carried locally between the intersection of Henry Ford Boulevard and Ocean Avenue on Terminal Island and applicant's terminus in the City of Long Beach."

This restriction was imposed because the Maritime Commission-Pacific Electric rail line was then rendering an adequate service along the restricted portion of said alternate route between the California Shipbuilding Corporation yards and the city of Long Beach.

Applicant requests that said restriction be modified in order that he may be permitted to transport passengers, particularly employees of the General Petroleum and Henry Ford plants, between the intersection of Henry Ford Boulevard and Ocean Avenue on Terminal Island and a point approximately one-half mile south of Anaheim Street along said alternate route.

The record shows that on or about September 15, 1945, the Maritime Commission-Pacific Electric rail line between "Calship" and Long Beach was discontinued and, therefore, no need exists for a restriction along said segment of the alternate route. The Pacific Electric Railway Company has no objection to a modification of the restriction as proposed.

Long Beach Motor Bus Company and Lang Motor Bus Corporation offered no evidence in support of their protests.

Although a modification of said restriction as proposed would convenience the riding public along that portion of the route only at such times as applicant could not operate by way of the pontoon bridge, it appears that, to that extent at least, the proposed modification would be in the public interest.

As the evidence shows that applicant, on occasion, has used the alternate route when passage over the pontoon bridge was possible, he is admonished that strict compliance with service regulations is expected.

The Commission finds that the proposed modification is justified and in the public interest and the application will be granted.

O R D E R

A public hearing having been had herein and the Commission being fully advised, and it having been found that the public interest so requires,

IT IS ORDERED as follows:

(1) That subparagraph (b) of paragraph (1) of Part I of Decision No. 37931, dated May 24, 1945, be, and it is hereby,

amended to read as follows:

"When using the alternate hereinafter described no passengers shall be carried locally between a point just north of the General Petroleum Company main gates on Henry Ford Boulevard, being approximately one-half mile south of Anaheim Boulevard, and applicant's terminus in the city of Long Beach."

(2) That in all other respects Decision No. 37931 shall remain in full force and effect.

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

Dated at San Francisco California, this 12th day of March, 1946.

Harold Rudman

Samuel L. Fawcett

Harriet J. Hula

COMMISSIONERS