

Decision No. 39332**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 SAN DIEGO ELECTRIC RAILWAY COMPANY,)
 a corporation, for certificate of)
 public convenience and necessity) to) Application No. 27568
 establish common carrier passenger)
 bus service on Fairmount Avenue in)
 the City of San Diego.)

O P I N I O N

Applicant requests authority to establish and operate, for a trial period of sixty days, a passenger stage service in the City of San Diego, along Fairmount Avenue between El Cajon Boulevard and Quince Street, a distance of approximately one mile.

The proposed operation is a cross-town service intersecting applicant's No. 7 car line at University Avenue and its Route F bus line at El Cajon Boulevard.

It is proposed to operate daily on approximately a 12-minute headway between 6:00 a.m. and 6:00 p.m. Applicant states that it will incorporate the proposed service into its present established zone system of fares, that the proposed line will be entirely within the second fare zone, and that patrons will be accorded all the privileges appertaining thereto.

It appears that this application was filed at the request of the City Council of the City of San Diego. A Council resolution, a copy of which has been filed as an exhibit to the

application, shows that 425 persons residing along or adjacent to the proposed route have petitioned the city for a bus line along Fairmount Avenue.

The area proposed to be served is principally residential in character with a few business establishments along Fairmount Avenue and concentrated business districts at El Cajon Boulevard and University Avenue. The proposed service would also provide transportation to Hoover High School and Wilson Junior High School.

Although applicant doubts that patronage sufficient to pay operating expenses can be developed it, nevertheless, is willing to establish and operate the proposed service on an experimental basis for a period of sixty days when the schools are open as it is expected that more persons will ride during the school term.

The granting of a certificate of public convenience and necessity on a temporary basis or, as applicant requests, for a "trial period", is not favored by this Commission. Applicant is privileged to apply for authority to discontinue or abandon service whenever it believes such request justified.

It appearing that the proposed service is in the public interest, and that applicant's request to operate said service for a trial period has not been justified, a certificate on a continuous basis will be granted. 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 in the premises and finding that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be, and it hereby is, granted to San Diego Electric Railway Company, a corporation, authorizing the establishment and operation of a service as a passenger stage corporation, as defined in Section 2 $\frac{1}{2}$ of the Public Utilities Act, for the transportation of persons in the City of San Diego, along the route hereinafter described, as an extension and enlargement of applicant's existing operative rights and to be consolidated therewith.

(2) That in providing service pursuant to the certificate herein granted, the following service regulations shall be complied with:

- (a) 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.
- (b) Applicant shall, within sixty (60) days from the effective date hereof and upon not less than one (1) day's notice to the Commission and the public, establish the service herein authorized and 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.
- (c) Subject to the authority of this Commission to change or modify such at any time, San Diego Electric Railway Company shall conduct said passenger stage operation over and along the following described route:

Beginning at the intersection of Fairmount Avenue and El Cajon Boulevard, thence along Fairmount Avenue to its intersection with Quince Street.

Applicant is authorized to turn its motor vehicles at termini or intermediate points by operating around a block in either direction, or in accordance with local traffic rules.

(3) That in all other respects Application No. 27568 be, and it hereby is, denied.

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

Dated at Los Angeles, California, this 27th day of August, 1946.

Harold H. Hale
Justin F. Callahan
Frank W. Brown
W. H. Jones
A. J. [unclear]
COMMISSIONERS