

Decision No. 29712

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 limiting certificate)
under Decision No. 37931 to one year,)
and to amend service regulation as)
to alternate route.)

ORIGINAL

Application No. 26506
4th Supplemental

WM. N. DEATHERAGE, for applicant.
J. R. MCHENRY, for the Bureau of Franchises and Public
Utilities for the City of Long Beach,
interested party.

O P I N I O N

By Decision No. 37931, dated May 24, 1945, a certificate was granted to Pete Drake authorizing a passenger stage service betw-en Terminal Island and Long Beach as an extension and enlarge-ment of his operative rights between Terminal Island and other points in the Los Angeles Harbor District. Said Decision No. 37931 provided that the certificate would expire one year after the effective date of the order unless further extended by subsequent order. Thereafter by Decision No. 39034, the certificate was extended to terminate on August 31, 1946. Two routes were authorized to be used in conducting this service which was established June 17, 1945. One of the routes is over a temporary pontoon bridge across Cerritos Channel between Terminal Island and Long Beach. An alternate circuitous route was authorized to be used when the pontoon bridge is out of service.

By 4th Supplemental Application, applicant requests the Commission to make permanent the above described temporary certi- ficate. A public hearing thereon was had before Examiner Paul at

Los Angeles on August 5, 1946, and the matter was submitted.

The record shows that during the fourteen months June 1945 to July 1946, inclusive, applicant, on the average, transported approximately 362,000 passengers a month. The lowest amount was approximately 194,000 transported in June 1945, and the largest 470,000 in December 1945. There has been a continuing decrease during the period January-July 1946, inclusive. The monthly average for the first five months of 1946 was about 408,000 and for the months of June and July 1946 the average was 260,000. The record indicates that the substantial decrease of traffic during June and July 1946 occurred upon the departure of the fleet for the atomic bomb tests at Bikini Lagoon. Applicant testified that he was informed by the Navy command that there will be an increased need for service between Terminal Island and Long Beach by Navy personnel upon return of the fleet. The record further shows that at the time applicant received the temporary certificate, California Shipbuilding Corporation, during the peak of its operation, employed approximately 43,000 men in its plant on Terminal Island. This plant, since the termination of hostilities, has discontinued its operation and the plant was dismantled during February and March 1946. Various naval installations on Terminal Island, including the Disciplinary Barracks, Receiving Ship, Naval Air Station, Naval Operating Base and the Naval Drydocks, according to the record, are of a permanent nature and have a continuing need for the service now provided by applicant. It is also shown that various other industries on the island employ in the aggregate between 40,000 and 50,000 workers, many of whom have a need for applicant's service between Terminal Island and Long Beach. The major industries operate on a day shift basis with small night

crews. Since the termination of the hostilities, the Henry Ford Plant on Henry Ford Boulevard, just north of Cerritos Channel on the mainland, has resumed operation and together with the General Petroleum Plant nearby, have employees who need and could utilize applicant's service in the morning and in the evening to and from Long Beach.

In support of the request for authority to use the alternate route, it was shown that the pontoon bridge is out of service when opened for the passage of vessels for periods varying from ten to forty-five minutes, particularly between 6 a.m. and 7:15 a.m. and between 5 p.m. and 6 p.m. daily. During the past three months the bridge has been out of service two Sundays each month and at other times for several hours. Applicant testified that the operation conducted over the route involving use of the bridge has cause inconvenience, delays in service and an increase of operating expenses due to the bridge being out of service, at times unknown to the operators until arrival of stages. They must then return to the alternate route which results in about 10 minutes loss of time for each trip and 1.2 miles of extra operation.

There was no opposition to the application. However, the witness for the Bureau of Franchises and Public Utilities of Long Beach testified that the Long Beach Board of Harbor Commissioners, while favoring a continuation of applicant's service over the pontoon bridge, is of the opinion that no permanent certificate authorizing its use should be allowed to serve as an argument for keeping the bridge open beyond the date when it otherwise would be removed because of its asserted obstruction to navigation. Such certificate, in its opinion, should be made to expire upon the

closing or removal of the bridge.

After full consideration of the record it is our conclusion that public convenience and necessity require the proposed permanent operation by applicant. We do not believe it necessary to fix a date of expiration of the certificate as suggested by the Long Beach Board of Harbor Commissioners. Whenever the pontoon bridge is closed or removed by the Navy Department, the certificate over the bridge would be of no avail to applicant.

While applicant desires to use the alternate route at his discretion we believe its use should be authorized only at the times, which the record shows, the pontoon bridge is not in service.

O R D E R

A public hearing having been had herein and the Commission now being fully informed and it having been found that public convenience and necessity so require,

IT IS ORDERED as follows:

(1) That a certificate of public convenience and necessity be and it is hereby granted to Pete Drake 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 Terminal Island and Long Beach and intermediate points as an extension and enlargement of applicant's existing right and consolidated therewith subject to the following restrictions:

- (a) No passengers shall be carried locally between the eastern entrance to the pontoon bridge over Cerritos Channel and applicant's terminus in the City of Long Beach.
- (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, excepting passengers originating at or destined to the plants of the Ford Motor Company and General Petroleum Company on Henry Ford Boulevard.

(2) That in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

- (a) Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed 30 days from the effective date hereof.
- (b) 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 appropriate tariffs and time schedules within 60 days from the effective date hereof and on not less than 1 day's notice to the Commission and the public.
- (c) Subject to the authority of this Commission to change or modify such at any time, Pete Drake shall conduct said passenger stage operation over and along the following described routes:

Regular Route

Leaving the eastern terminus of Seaside Avenue on Terminal Island, thence easterly across the pontoon bridge; thence along Seaside Boulevard, Pico Avenue, Ocean Boulevard, Chestnut Avenue, Broadway, Pacific Avenue to terminus at First Street; thence continuing along Pacific Avenue to Ocean Boulevard, thence to Chestnut Avenue.

Alternate Route

The following alternate route may be used between the hours of approximately 6 a.m. and 7:30 a.m. and between the approximate hours of 4:45 p.m. and 6:30 p.m. daily and at other times when passage over the pontoon bridge spanning Cerritos Channel is not possible:

Beginning at the junction 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.

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

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

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

Harold D. Huls
Justin F. Cravens
Thomas C. Clark
David H. ...
A. J. ...
COMMISSIONERS