

Decision No. 39387**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of HENRY T. CLARK, an individual,)
doing business under the firm name)
of EAST-SIDE TRANSIT for certifi-)
cate of public convenience and)
necessity to operate Passengers')
Service between Garvey Ave. at)
Garfield Ave. in Monterey Park and)
Atlantic Blvd. at Slauson Ave. in)
Maywood.)

Application No. 27455

Robert E. Benton for applicant; E. O. Marler for Pacific Electric Railway Company; J. E. Cragin for City of Maywood; and Chas. F. Koors for Belvedere Transit Company, interested parties; Max Eddy Utt for Los Angeles Transit Lines, protestant.

O P I N I O N

Applicant seeks authority to establish and operate a passenger stage service for the transportation of persons between the Cities of Monterey Park and Maywood and intermediate points.

A public hearing was held at Los Angeles on August 23, 1946, before Examiner Chiesa. Evidence, oral and documentary, having been adduced, the matter was submitted for decision.

Applicant proposes to operate one or two busses between the City of Monterey Park and the City of Maywood, along Atlantic Avenue a distance of approximately seven miles.

Hourly schedules are proposed between 6:30 a.m. and 10:00 p.m. Applicant proposes to establish three 7-cent fare

zones with a maximum one-way fare of 10 cents. He has no operating equipment but expects to obtain used busses from other carriers or from the government.

Four public witnesses were called to testify that there is a need for the proposed service. One, an Air Corps lieutenant stationed at the Army depot located near the intersection of Bandini and Atlantic Boulevards, testified that 1,200 civilians are permanently employed at the depot and that he believed some employees would use applicant's service and that the present service of protestant, Los Angeles Transit Lines, is infrequent and not entirely satisfactory. On cross-examination this witness stated that said protestant's service to the depot was established at the request of the Army and that the said service during shift hours is adequate.

The evidence also shows that Los Angeles Transit Lines operates two morning and two afternoon schedules along Atlantic Boulevard between said depot and Anaheim-Telegraph Road, which line operates to Brannick Avenue and Whittier Boulevard, and three morning and three afternoon schedules, also along Atlantic Boulevard, between the depot and Slauson Avenue which line operates along Slauson Avenue to Pacific Avenue, and that said service was established for the use of depot personnel.

It does not appear, from the evidence of record, that sufficient need exists for the operation of additional or off-peak schedules to or from said installation.

The second witness, industrial relations and personnel manager of a manufacturing concern, located at Washington and

Atlantic Boulevards, testified that his company employs between 450 and 500 persons and that the present service of Los Angeles Transit Lines is inadequate because its schedules do not coincide with the plant's working hours. He stated that most of the employees use private automobiles, a few use protestant's service, and some walk to work. His testimony, on cross-examination, showed that about 46 employees might have need for applicant's proposed service.

The third witness, a resident of Midwick View Estates, which is a residential community situated along the proposed route, testified that the members of his family would occasionally have need for the proposed service and that he daily saw six or seven persons being picked up in private cars near Harding and Atlantic Avenues and that he believed some of said persons would ride applicant's bus.

The other public witness, real estate manager of the firm which is developing Midwick View Estates, was interested in this application only from the standpoint of the future development of the subdivision. He did not know the number of houses or residents in Midwick View Estates nor the transportation needs of any of its residents.

Upon such a showing we cannot find that public convenience and necessity require the establishment and operation of the proposed passenger stage service.

Applicant was unable to give any data concerning operating revenues or expenses except that he believed it would cost about 18 to 20 cents per mile to operate a bus. He stated

on cross-examination, that he had not considered depreciation or the cost of insurance. The evidence further shows that applicant, although financially responsible, is not experienced in the operation of a passenger stage service.

Upon consideration of the entire record we are of the opinion that the establishment and operation of the proposed transportation service has not been justified. The application, therefore, will be denied.

O R D E R

A public hearing having been held in the above-entitled proceeding, the matter having been submitted, and the Commission being fully advised,

IT IS ORDERED that Application No. 27455 be, and it hereby is, denied.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 10th day of September, 1946.

Harold H. Keels
Justin J. Calver
Frank W. Calver
W. H. Lawrence
A. J. Dunning
COMMISSIONERS