

Decision No. 39756

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of Asbury Rapid Transit System, a corporation, for authority to operate a motor coach transportation service as a common carrier for compensation between the City of San Fernando, on the one hand, and that section of the City of Los Angeles known as Hollywood, on the other hand, and all intermediate points.

ORIGINAL

Application No. 27488

DON L. CAMPBELL and RODNEY F. WILLIAMS, for Applicant;
C. W. CORNELL and E. L. H. BISSINGER, for Pacific
Electric Railway Company; Protestant; and K. CHAS.
BEAN, for the Board of Public Utilities and Transportation
of the City of Los Angeles, Interested Party.

O P I N I O N

By the above-numbered application Asbury Rapid Transit System, a corporation, seeks authority to establish a motor coach transportation service between the City of San Fernando and that section of Los Angeles known as Hollywood. Public hearings in this proceeding were held before Examiner Ager on June 20 and September 5, 1946, and the matter was submitted for determination on the latter date.

Applicant and its predecessor in interest have been providing a motorized transportation service between the cities of San Fernando and Los Angeles by way of San Fernando Road for a great many years. As the San Fernando Valley and adjacent territory has developed, applicant has expanded its services to meet the increased need for public transportation and in keeping with this plan it now operates a line that extends from a connection in Burbank with its Los Angeles-San Fernando Line to Hollywood via Cahuenga Pass. In the instant proceeding, Asbury seeks authority to establish and operate a service between San Fernando and Hollywood by way of Laurel Canyon Boulevard, Magnolia Boulevard, Cahuenga Boulevard, Lankershim

Boulevard and the Hollywood Parkway. Such a service, if established, would also serve the communities of Pacoima, Fernangeles and North Hollywood.

The record shows that the San Fernando Valley, as a whole, has shown substantial growth during the war period, that this development is continuing, and only a shortage of critical building materials is retarding the present development. A witness for the applicant testified that those portions of the area tributary to Laurel Canyon Boulevard between San Fernando and North Hollywood which have not already been built upon, have been subdivided for building, the lots have been sold and will be developed as soon as materials can be had. That portion of Laurel Canyon Boulevard between Sherman Way on the north and Magnolia Boulevard on the south is well-developed as a residential section at the present time and could, in his opinion, easily support a transportation service. This same situation prevails along the remainder of the proposed route between the intersection of Magnolia and Laurel Canyon Boulevards and the intersection of Cahuenga and Ventura Boulevards. Testimony shows that the area north of Sherman Way and adjacent to the proposed route is rather sparsely developed, and that there is some question as to whether or not the volume of patronage to be derived through this area would be sufficient to pay the out-of-pocket costs of performing the service. The major portion of this section of the route is within one-half miles of applicant's route on San Fernando Road, and the record shows that most of the development which has taken place is in the area between Laurel Canyon Boulevard and San Fernando Road. It would appear, therefore, that these residents are within reasonable walking distance of that service. Those persons who desire to reach Hollywood can do so by transfer from applicant's line on San Fernando Road to another service which is performed by applicant between Burbank and Hollywood.

Pacific Electric Railway Company has also provided service to the San Fernando Valley for many years. This company operates a passenger rail service between downtown Los Angeles and the North Hollywood-Van Nuys section of the Valley, and, in addition, provides a somewhat extensive covering of the area by motor coach routes.

A part of the route of Pacific Electric's North Hollywood Motor Coach Line is around a loop bounded by Lankershim Boulevard, Vanowen Street, Whitsett Avenue and Victory Boulevard, with some of the service going north on Lankershim Boulevard to Sherman Way and another portion cutting through the loop on Laurel Canyon Boulevard between Vanowen Street and Victory Boulevard. The proposed service of Asbury would parallel within easy walking distance Pacific Electric's service on Lankershim Boulevard for a distance of one-half mile between Sherman Way and Victory Boulevard, and would duplicate Pacific Electric service on Laurel Canyon Boulevard between Vanowen Street and Victory Boulevard, a distance of one-half mile.

Pacific Electric rail service is routed through the Cahuenga Pass, thence via Vineland Avenue, Chandler Boulevard and Van Nuys Boulevard to Van Nuys. Applicant's proposed service would parallel this rail line at a distance of one-half mile between Ventura Boulevard and Magnolia Boulevard, and would parallel it at a distance of one-fourth mile along Magnolia Boulevard between Vineland Avenue and Laurel Canyon Boulevard. Incidentally, the proposed route would cross this rail line at Magnolia Boulevard and Vineland Avenue, as well as at Laurel Canyon Boulevard and Chandler Boulevard.

From this record it would appear reasonable to impose restrictions on the proposed new service which would prohibit applicant from transporting passengers who are within one-half mile of existing Pacific Electric service. Such a restriction would preclude the possibility of applicant handling any passengers locally south of the intersection of Sherman Way and Laurel Canyon Boulevard. Witness for the applicant, when questioned as to whether or not sufficient traffic could be developed in the area north of Sherman Way to justify

the establishment of the service, replied in the negative.

The City of San Fernando has officially gone on record as endorsing the proposal and applicant produced many public witnesses who gave their unqualified endorsement.

A careful review of the entire record impels the conclusion that unless applicant were to be granted an unrestricted certificate, there is little possibility that the proposed service could be made compensatory. It would appear that an unrestricted certificate should not be granted because Pacific Electric is entitled to the restrictions as described above. Summarizing the record we find that public convenience and necessity at this time has not been shown to justify the establishment of the service as proposed. It is also apparent that such an operation would be a burden on the remainder of applicant's system. When building materials become available in sufficient quantities to enable the owners of lots in the newly subdivided tracts to build, an entirely different picture may be presented.

Predicated upon the foregoing opinion, we believe that the application should be denied and the following order will so provide.

O R D E R

Public hearings have been held, the Commission being apprised of the facts, and the matter being under submission and ready for decision.

IT IS ORDERED That the application of Asbury Rapid Transit

System for authority to establish an additional route between San Fernando and Hollywood be and it is hereby denied.

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

Dated at San Francisco, California, this 16th day of December, 1946.

Harold P. Kula
Justin J. Cadden
Francis J. ...
W. H. ...
R. J. ...
COMMISSIONERS