

ORIGINAL

428

Decision No. 39901

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
D. MOYERS doing business as MOYERS)
STAGES, for a certificate of public)
convenience and necessity between)
Fresno and Friant via Fresno Air)
Base and Clovis, and to consolidate)
same with applicant's system.)

Application No. 24297
4th Supplemental

O P I N I O N

By Decision No. 34404, dated July 8, 1941, the Commission granted a certificate to D. Moyers doing business as Moyers Stages, authorizing the transportation of passengers, baggage and shipments of express weighing not in excess of 100 pounds between Fresno and Clovis and intermediate points subject to certain restrictions. The authorized route out of Fresno was in general over H Street, Fresno Street, Shields Avenue and Clovis Avenue. Thereafter by Decision No. 34758, dated November 12, 1941, an additional route in Fresno was authorized in general and diverging from Fresno Street over Van Ness Avenue, Moroa Avenue, Weldon Avenue, Blackstone Avenue and Shields Avenue in order to serve Fresno State College.

By 4th Supplemental Application No. 24297, Moyers requests authority to establish service over an additional route which would diverge from his present route in Fresno at the intersection of Fresno Street and Belmont Avenue, thence easterly along Belmont Avenue for a distance of about 4 1/2 miles to Clovis Avenue, thence northerly about 2 miles to its connection with Shields Avenue, applicant's present route of operation. To provide service over the proposed additional route applicant would operate eight daily round trip schedules between Fresno and Clovis. A local one-way

cash fare of 10 cents between Fresno and Clovis Avenue via the route sought to be used would be charged. The present one-way cash fare of 20 cents between Fresno and Clovis applicable via Shields Avenue, the present route, would also apply over the proposed additional route.

As justification for the authority sought the application states that operation over the proposed route would enable applicant to furnish service for a large number of persons residing east of the city limits of Fresno along Belmont Avenue and on Clovis Avenue. It is further asserted that the area involved is a rapidly growing suburban development without public transportation.

The only other carrier serving this area is Fresno City Lines. It presently provides service over a portion of the proposed route and another service which parallels Belmont Avenue east of Fresno Avenue as far as Sierra Avenue varying in distance from two to four city blocks from Belmont Avenue. Applicant has consented to the imposition of a restriction on the proposed additional route which would prohibit local service west of the intersection of Belmont and Sierra Avenues which is two city blocks from a route operated by Fresno City Lines. The City Lines has waived protest to the application provided a restriction is imposed to prohibit local service west of the intersection of Belmont Avenue and Garden Avenue, which is three city blocks east of the intersection of Belmont and Sierra Avenues and five city blocks from the nearest point served by this carrier.

After full consideration of applicant's request, we find there is a public need for the proposed service for those persons who are not within a reasonable walking distance of public trans-

portation. A restriction which would prohibit local service west of the intersection of Belmont and Garden Avenues should be imposed. No public hearing is necessary and applicant's request will be granted subject to such restriction.

O R D E R

An application therefor having been filed and it having been found that public convenience and necessity so require,

IT IS ORDERED:

(1) That the route described in subparagraph (2) of paragraph IV of Decision No. 34404, dated July 8, 1941, as amended by Decision No. 34758, dated November 12, 1941, is hereby further amended by including therein the following route description:

"Beginning at the intersection of Fresno Street and Belmont Avenue, thence over and along Belmont Avenue and Clovis Avenue to the intersection of Clovis Avenue and Shields Avenue."

(2) That no passengers may be picked up or discharged along Belmont Avenue between its junction with Fresno Street and its junction with Garden Avenue except those passengers having point of origin or point of destination east of the intersection of Belmont Avenue and Garden Avenue.

(3) That within 60 days from the effective date hereof and on not less than 1 day's notice to the Commission and the public applicant shall establish service over the route herein described 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 appropriate tariffs and time tables.

(4) That said Decision No. 34404 shall in all other respects remain in full force and effect.

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

Dated at Los Angeles, California, this 28th day of January, 1947:

Harold A. Kula

Justus F. Cassin

Charles H. Powell

R. E. Anderson

COMMISSIONERS