

**ORIGINAL**Decision No. 39952

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 PACIFIC ELECTRIC RAILWAY COMPANY, a )  
 corporation, for an in lieu certifi- ) Application No. 26636  
 cate of public convenience and ) Fourth Supplemental  
 necessity. )

C. W. Cornell for applicant. Max E. Utt for Los Angeles Transit Lines, Long Beach Motor Bus Company, and Long Beach City Lines; Joseph B. Lamb for City of Long Beach and Long Beach Bureau of Franchises and Public Utilities; J. R. McHenry for Long Beach Bureau of Franchises and Public Utilities; H. Burton Noble for City of Pasadena; W. H. Murphy for Crosstown Bus Lines; D. A. Gretz for Greater East Los Angeles Chamber of Commerce and Southeast Industrial Area Association; F. R. Mulhern for Greater Atlantic Boulevard Association; J. E. Le Grand and Wesley Ballard for South Gate Chamber of Commerce; interested parties.

O P I N I O N

Applicant requests authority (to establish) and operate a (passenger stage service) for the transportation of persons) between Pasadena, <sup>the</sup> and Long Beach via Atlantic Boulevard, serving along said route the intermediate communities of Alhambra, Monterey Park, East Los Angeles, Maywood, Bell, Lynwood, and parts of Los Angeles County.

A public hearing was held at Los Angeles on November 21, 1946. Evidence, oral and documentary, having been adduced, the matter was submitted for decision.

The proposed service via Atlantic Boulevard will be an additional and more direct route than that which is now operated between the two cities via El Monte, Whittier, and Bellflower.

The present route and service, which will be continued, follow a circuitous route of 43.25 miles with a running time of two hours and eight minutes one way. The proposed Atlantic Avenue route will be 29.70 miles in length and the running time will be one hour and twenty-seven minutes. Applicant also operates rail passenger service between Pasadena and Long Beach, requiring a transfer at Los Angeles.

Sixteen miles of the proposed route is now certificated. In order to complete applicant's certificated rights over all the proposed route it will be necessary to authorize operations along Atlantic Boulevard between Whittier Boulevard and Garvey Avenue, a distance of 3.3 miles and between Anaheim-Telegraph Road and Artesia Avenue, a distance of 10.35 miles.

Proposed one-way and round-trip fares between the said terminal points will be 66 cents and \$1.26, respectively, and are the same as charged on the present bus line. The present rail fares via Los Angeles are 76 cents and \$1.25, respectively, for a 27-mile route. Ten- and thirty-ride commutation fares will also be provided (Exhibit No. 3).

At the commencement of the service applicant proposes to operate two morning and two afternoon schedules in each direction<sup>(1)</sup>. Applicant's traffic manager testified that said schedule would be changed or increased to meet the needs of the traveling public.

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(1) Proposed departures are:  
Southbound: 7:12 a.m. - 9:20 a.m. - 2:20 p.m. - 5:20 p.m.  
Northbound: 7:37 a.m. - 10:05 a.m. - 3:07 p.m. - 4:42 p.m.

The evidence indicates that an earlier morning and later afternoon schedule will likely be necessary. This witness also testified that sufficient equipment will be available to install the service. It is receiving 46 new busses and 15 additional busses are being reconditioned for use. All except approximately 15 of said busses would be used to augment service on existing lines. Delivery of an additional 29 new busses is expected during the first three months of 1947.

Estimated monthly revenue is \$3,307 or 45 cents per mile. Costs are estimated at 40.1 cents per mile.

There is substantial evidence in the record of public need for the proposed service. The combined population of the cities and communities along said route is in excess of 600,000. Several public witnesses, representing civic and business organizations, testified in support of the application.

The application was not opposed; however, Los Angeles Transit Lines, Crosstown Bus Lines (a noncertificated passenger carrier operating within the City of Lynwood), and the City of Long Beach took the position that applicant should be restricted in the performance of a local service along portions of the route.

Los Angeles Transit Lines requested a condition forbidding applicant the right to operate locally along Atlantic Boulevard between Slauson Avenue and Anaheim-Telegraph Road. Although applicant consented to such restriction, the evidence clearly shows that such restriction would not be in the public interest. The distance between Slauson Avenue and Anaheim-Telegraph Road is approximately 2½ miles. Los Angeles Transit Lines' present service

along this segment is scheduled, primarily, to provide transportation for personnel at the Maywood air depot. These trips are operated at shift breaks only and include but one through trip daily between Slauson Avenue and Anaheim-Telegraph Road, operated at 6:30 a.m. The record shows that along this portion of Atlantic Boulevard there are located several important industrial plants and a residential community of some 500 homes. There is testimony that this area does not have adequate local transportation service. Los Angeles Transit Lines presented no evidence that applicant's proposed service would adversely affect its revenue. We find that the evidence of record does not justify a restriction along this portion of the route and that such restriction would not be in the public interest.

Crosstown Bus Lines operate a bus service within the City of Lynwood and along Atlantic Boulevard between Fernwood Avenue and Imperial Highway. This service is performed on a 30-minute schedule and will soon be extended two blocks northerly to Abbott Road. Applicant has consented to a local restriction between Fernwood Avenue and Abbott Road and upon the evidence of record such limitation appears justified.

The City of Long Beach suggested that applicant be forbidden to carry passengers locally within its boundaries. The evidence shows that applicant now operates within the city along the same route which is proposed herein and that there is no restriction on its operation. Furthermore, applicant operates approximately 50 daily schedules along said route whereas the proposed schedule would add but four schedules in each direction.

The basis for the city's position is that the addition of these schedules would probably result in an increase in fares by the city bus line. The secretary of the Bureau of Franchises testified that "the four additional schedules proposed here, probably would not result in a great deal of deflection of business from the Long Beach City Lines". It was his opinion, however, that many more schedules will be required on this line. No evidence was offered to show that the establishment of this service would materially affect the city carrier's revenues and, in view of applicant's present unrestricted operation along the proposed route, there appears to be little justification for the restriction.

Upon consideration of the entire record in this proceeding we find that public convenience and necessity require the establishment and operation by applicant of the proposed service. The application will be granted.

O R D E R

A public hearing having been held in the above-entitled proceeding, the Commission now being fully 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 the Pacific 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, along Atlantic Boulevard between Garvey Avenue and Whittier Boulevard and between Anaheim-Telegraph Road and Artesia Avenue, as an extension and enlargement of, and to be consolidated with, applicant's existing rights in said territory, subject, however, to the following condition:

(a) No passengers shall be transported whose origin and destination are between Abbott Road and Fernwood Avenue (Lynwood), both points inclusive.

(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, Pacific Electric Railway Company shall conduct said passenger stage operation over and along the following described route:

Beginning at applicant's Long Beach depot at Pacific Avenue and Ocean Boulevard, thence along Ocean Boulevard, American Avenue, Long Beach Boulevard, San Antonio Drive, Atlantic Boulevard (through Lynwood, Bell, Maywood, and East Los Angeles), Garvey Avenue (Monterey Park), Garfield Avenue (Alhambra), Wilson Avenue, Los Robles Avenue, Colorado Street, Raymond Avenue, and Union Street (Pasadena), to applicant's Pasadena depot at Union Street and Fair Oaks Avenue.

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

Dated at San Francisco, California, this 11th day of February, 1947.

Harold P. Hull  
Justice J. Barnes  
Frank K. Powell  
A. J. [unclear]  
[unclear]  
COMMISSIONERS