

Decision No. 40343**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Landier Transit Company, Inc.,)
a corporation, for certificate of)
public convenience and necessity to)
operate as a common carrier of per-)
sons, for hire, between Watts and)
Compton, on the one hand, and Santa)
Anita Park in Arcadia, on the other)
hand, and intermediate points; and)
between Watts and Huntington Park,)
on the one hand, and Hollywood Park)
in Inglewood, on the other hand, and)
intermediate points.)

Application No. 28368

Spray, Davis and Gould by C. W. Bowers, for applicant;
Glanz and Russell by Theodore W. Russell for Cross Town Bus Lines;
Christopher J. Griffin for City of Huntington Park, protestants;
Tudor Gairdner for Tanner Motor Tours, Ltd., interested party.

C O P I N I O N

Applicant seeks authority to operate a "passenger stage" service exclusively for persons desiring direct travel (1) between Compton and Watts, on the one hand, and Santa Anita Park race track on the other hand, and intermediate points; and (2) between Huntington Park and Watts, on the one hand, and Hollywood Park race track, on the other hand, and intermediate points.

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

The record shows that there does not now exist any direct and convenient means of public transportation between said race tracks and the cities herein proposed to be served.

Several public witnesses, owners or managers of news stands or travel bureaus in Huntington Park, Walnut Park, South Gate, and Watts, testified that in their respective communities there is a considerable public demand for a specialized race track transportation service as herein proposed. There is no evidence, other than the unsupported testimony of Harry H. Rosenfeld, applicant's president, that public convenience and necessity require the operation of a race track transportation service between Compton and the intermediate point of Lynwood, on the one hand, and Santa Anita Park and Hollywood Park, on the other hand; nor does the record show that there is a sufficient public demand to justify applicant's requests to serve all of the intermediate points named in its application.

Upon the evidence of record we find that public convenience and necessity require the establishment and operation of a race track bus service as herein proposed between Watts, on the one hand, and the said race tracks, on the other hand, and between the intersection of Florence Avenue and Pacific Boulevard (Walnut Park) and Hollywood Park.

We find, also, that public convenience and necessity do not require the establishment and operation of the passenger stage service herein proposed between Compton, on the one hand, and the Santa Anita Park and Hollywood Park race tracks, on the other hand.

Applicant proposes to charge a round-trip fare of \$1.30, plus federal tax, between Watts and Santa Anita Park; \$1.00 plus federal tax, between Watts and Hollywood Park; and \$1.09, plus tax, between the intersection of Florence Avenue and Pacific Boulevard and Hollywood Park.

The round-trip mileage is as follows: between Watts and Santa Anita Park approximately 43 miles; between Watts and Hollywood Park approximately 23 miles; and between Walnut Park and Hollywood Park approximately 30 miles.

Prerace and postrace schedules will be maintained. The equipment proposed to be used consists of 1940 and 1941 G.M.C. busses.

The City of Huntington Park protested applicant's proposed route along Pacific Boulevard because of the heavy traffic on said street. Applicant having agreed to reroute along Florence Avenue⁽¹⁾ the city withdrew its opposition.

Protestant, Cross Town Bus Lines, a city passenger carrier operating within the limits of Lynwood, California, opposes the granting of this application upon the ground that its Application No. 27740, now pending before this Commission, also requests authority to establish a race track service between Lynwood and vicinity, and Hollywood Park, and that said application, having been filed prior to the application herein, should first be heard and decided.

In view of applicant's failure to show a public need for its proposed service between Compton (and the intermediate point of Lynwood) and said race tracks, it is not necessary to consider the protest of Cross Town Bus Lines. Applicant will be granted a restricted operative right along routes which we do not consider to be competitive with the service proposed by this protestant.

(1) Florence Avenue is the southerly city limit of Huntington Park and the northerly limit of Walnut Park, an unincorporated area. By rerouting along Florence Avenue applicant will avoid the traffic along Pacific Boulevard and still serve Huntington Park.

Upon consideration of all the evidence herein, it appears that a sufficient and proper showing of public convenience and necessity has been made by applicant only in connection with the proposed service between Watts and said race tracks, and between the intersection of Florence Avenue and Pacific Boulevard and Hollywood Park. Therefore, the application will be granted in part and denied in part.

C R D E R

Public hearing having been had upon this application and the Commission being of the opinion and having found 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 Landier Transit Co., Inc., a corporation, authorizing the establishment and operation of a service as a "passenger stage corporation" as defined in Section 2½ of the Public Utilities Act, for the transportation of persons (1) between Watts (County of Los Angeles), and the Santa Anita Park race track, and intermediate points, and (2) between the intersection of Florence Avenue and Pacific Boulevard (Walnut Park in the County of Los Angeles), and Hollywood Park race track, and intermediate points, subject to the following conditions and restrictions:

- (a) The service authorized pursuant to the foregoing certificate shall be rendered only during such period as horse racing is conducted at Santa Anita Park or Hollywood Park race tracks.

- (b) All passengers must be destined to, or originate at, the Santa Anita Park race track or at the Hollywood Park race track.
- (c) No passengers shall be picked up or discharged at any point between the intersection of Florence Avenue and Atlantic Boulevard and Santa Anita Park race track, nor at any point between the intersection of 103rd Street and Central Avenue and Hollywood Park race track.

(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, Landier Transit Co., Inc. shall conduct said passenger stage operation over and along the following described route:

Beginning at the entrance of the Hollywood Park race track on Prairie Avenue, Inglewood, California, thence along Prairie Avenue, Imperial Highway, Central Avenue, 103rd Street (Watts), Alameda Street, Tweedy Boulevard, Long Beach Boulevard, Florence Avenue (Walnut Park), Atlantic Boulevard, Huntington Drive to the entrance of the Santa Anita Park race track, Arcadia, California.

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

(3) That, except as authorized in the foregoing certificate, Application No. 28368 be, and it hereby is, denied.

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

Dated at San Francisco, California, this 3rd day of June, 1947.

Joseph A. Kula
Julius J. Gallen
Walter Powell
R. F. [unclear]
Herbert [unclear]
COMMISSIONERS