

ORIGINAL

Decision No 40450

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SANTA FE TRANSPORTATION COMPANY, a)
California corporation, for certificate)
of public convenience and necessity)
to operate a passenger stage service,)
as a common carrier of passengers and)
baggage, between Los Angeles and San)
Bernardino, via U. S. Highway No. 66)
and Arrow Highway.)

Application No. 28153

In the Matter of the Application of)
INTERSTATE TRANSIT LINES a Nebraska)
corporation, for a certificate of public)
convenience and necessity to operate an)
auto-stage line for passengers, baggage)
and express between points on U. S.)
Highways Nos. 66 and 70, between Los)
Angeles and San Bernardino, both in-)
clusive, on the one hand, and points)
on applicant's existing route between)
San Bernardino and the California-)
Nevada State Line via U. S. Highways)
Nos. 66 and 91, on the other hand.)

Application No. 28165

Wm. F. Brooks for applicant Santa Fe Transportation Company; Edward C. Kenwick for applicant Interstate Transit Lines; C. W. Cornell for Pacific Electric Railway Company, James G. Whyte City Attorney for City of Claremont, R. E. Thomas for Pacific Greyhound Lines, Henry M. Bush, City Attorney for City of Upland, interested parties.

O P I N I O N

This decision is concerned with two applications; one of the Santa Fe Transportation Company and the other of the Interstate Transit Lines, both requesting authority to operate a passenger stage service between Los Angeles and San Bernardino. In addition to this, the decision is also concerned with the need for additional passenger stage service between Claremont and Pasadena, and with proposals of the Pacific Electric Railway Company in that regard.

In Application No. 28153, Santa Fe Transportation Company, a California corporation, seeks a certificate of public convenience and necessity to operate a passenger stage service, as a common carrier of passengers and baggage, between Los Angeles and San Bernardino, via U. S. Highway No. 66 and Arrow Highway, with the restriction that no passengers or baggage shall be transported locally between Los Angeles and San Bernardino, and intermediate points, nor between points in the territory bounded by San Fernando, San Bernardino, Santa Ana, and Newport Beach, and intermediate points.

In Application No. 28165, Interstate Transit Lines, a Nebraska corporation, seeks a certificate of public convenience and necessity to operate a passenger stage service as a common carrier in the transportation of passengers, baggage and express, between Los Angeles and San Bernardino, over specified routes, with a prohibition against the transportation locally of passengers, baggage and express, between the aforementioned places and intermediate points. However, both applicants desire to perform transportation from points within the above-specified areas to points outside thereof. Both applicants previously have filed copies of their Articles of Incorporation.

A public hearing was held by Examiner Syphers at Claremont on May 20, 1947.

Applicant Santa Fe Transportation Company, wholly owned and controlled by The Atchison, Topeka and Santa Fe Railway Company, a Kansas corporation, conducts bus and truck operations in California as part of the Santa Fe Railway system. Another part of this

system is the Santa Fe Trail Transportation Company which conducts passenger stage operations in Illinois, Missouri, Kansas, Oklahoma, Colorado, New Mexico, Arizona, and California. This last-named company, a Kansas corporation, has authority from the Interstate Commerce Commission to transport passengers in interstate commerce over the identical route for which intrastate authority is now sought. The intrastate authority, if obtained, will become an integral part of the existing Santa Fe system. The existing facilities--stations, buses, and other equipment--will be used.

Applicant Interstate Transit Lines operates a passenger stage service, both interstate and intrastate, between Los Angeles California, and Chicago, Illinois, via Salt Lake City, Utah, and Omaha, Nebraska; and between Cheyenne, Wyoming, and Kansas City, Missouri, via Denver, Colorado. In addition, this applicant presently has intrastate rights in California between Los Angeles and the California-Nevada state line near Wheaton Springs, California, and points intermediate thereof, via Pomona, Ontario, Riverside, San Bernardino, and Barstow.

Under authority from the Interstate Commerce Commission, Interstate Transit Lines has interstate authority between the same points and over the same routes as herein requested. Therefore, inasmuch as this company has otherwise qualified to do business in California as a foreign corporation, it is not barred under Section 26 of the Public Utilities Act from conducting the requested intrastate operations in California. The proposed intrastate authority, if obtained, will be conducted by means of existing stations, buses, and other equipment.

The record indicates that both applicants are willing and able to conduct the passenger stage operations proposed.

Neither application encountered any opposition whatever. Public witnesses at the hearing testified as to the need and desirability of both proposals and each applicant has submitted a schedule of fares to be charged.

A further problem was presented at the hearing in that various officials, professional and business people, and residents of the City of Claremont appeared at the hearing and presented testimony indicating a need for service between Claremont and Pasadena. Both of these cities are on U. S. Highway No. 66 which is a highway set out in the proposal of each applicant.

That there is a need for passenger service between Claremont and Pasadena is supported by the evidence presented at the hearing. However, the testimony further indicated that neither applicant is equipped to provide such a local service, entailing short hauls and frequent schedules. Furthermore, such local authority was not requested in either application.

In this regard the Pacific Electric Railway Company appeared at the hearing, not to oppose either the application of Santa Fe Transportation Company or of Interstate Transit Lines, but rather to oppose the granting of any local authority between Claremont and Pasadena. Pacific Electric Railway Company presently operates between Pasadena and Pomona, and at the hearing offered to extend this service to Claremont. In this way Claremont would have a service to Pasadena via Pomona. In view of the testimony as to the need for passenger service between Claremont

and Pasadena, and the probable number of passengers, it is believed that the Pacific Electric Railway Company proposal presents the best solution of the present need for transportation between Claremont and Pasadena. Pacific Electric Railway Company now operates a local bus service between Claremont and Pomona. No additional authority is required to extend the Pasadena-Pomona service to Claremont.

O R D E R

A public hearing having been held in the above entitled proceedings, and the Commission being fully advised and finding that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Santa Fe Transportation Company authorizing the establishment and operation of a service as a passenger stage corporation, as defined in Section 24 of the Public Utilities Act, for the transportation of persons and their baggage between Los Angeles and San Bernardino and intermediate points as an extension and enlargement of and consolidated with the operative right created by Decision No. 30790, dated April 18, 1938. This certificate is granted subject to the following restrictions:

No passengers nor baggage shall be transported locally between Los Angeles and San Bernardino and intermediate points, nor over any of the routes of applicant within the territory bounded as follows: San Fernando, San Bernardino, Santa Ana, and Newport Beach, nor between any of said points, including points intermediate thereof, except that the right to transport passengers and baggage to or from points in restricted territory specified above, from or to points outside said restricted territory is not to be affected by these restrictions.

(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. 93-4 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, Santa Fe Transportation Company shall conduct said passenger stage operation over and along the following described route:

Via U. S. Highway No. 66 and Arrow Highway.

IT IS FURTHER ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Interstate Transit Lines authorizing the establishment and operation of a service as a passenger stage corporation, as defined in Section 2-1/4 of the Public Utilities Act, for the transportation of passengers, their baggage and shipments of express weighing 100 pounds or less on passenger carrying vehicles only, between Los Angeles and San Bernardino and intermediate points as an extension and enlargement of and consolidated with the operative rights acquired by said Interstate Transit Lines pursuant to Decision No. 32295, dated September 5, 1939. This certificate is granted subject to the following restriction:

No passengers, baggage nor express shall be transported locally between Los Angeles and San Bernardino and intermediate points. However, the right to transport passengers and baggage and express to or from points in the restricted territory specified above from or to points outside said restricted territory is not to be affected by this restriction.

(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 Orders Nos. 79, 80 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, Interstate Transit Lines shall conduct said passenger stage operation over and along the following described routes:

Between Los Angeles and Pasadena, California, via the Highland Park district of the City of Los Angeles, and between Pasadena and San Bernardino via U. S. Highway No. 66.

Between South Alhambra and Pasadena via Alhambra, San Marino, and South Pasadena.

Between Los Angeles and Pomona via U. S. Highway No. 70.

Between Pomona and Ontario via U. S. Highway No. 60, as an alternate route.

Between Ontario and Colton via U. S. Highway No. 70.

Between Ontario and Upland via Euclid Avenue.

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

Dated at San Francisco, California, this 24th day of June, 1947.

Harold P. Kule
Justin J. Quisenberry
Leslie Powell
A. J. [unclear]
Samuel Potter
COMMISSIONERS