Decision No. 40463

ORIGINAL

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.

Application No. 27488

DON L. CAMPBELL and RODNEY F. WILLIAMS, for Applicant.
C. W. CORNELL, E. L. H. BISSINGER and RANDOLPH KARR, for Pacific Electric Railway Company, Protestant.
T. M. CHUBB, PAUL L. GARVER and T. V. TARBOT for Board of Public Utilities and Transportation of the City of Los Angeles.
ROCER ARNEBERGH for City Attorney of the City of Los Angeles.
JOHN B. KINGSLEY for Hollywood Chamber of Commerce.
LLOYD GREGG and JAMES W. REITZ for San Fernando Valley Associated Chambers of Commerce.
HARMON R. BENNETT and ARCHIE L. WALTERS for City of Burbank.
R. A. HAUER, JR. for Burbank City Lines.
EVERETT L. PARKER and JAMES L. DOUGHERTY for Utility Workers of America, and
JOY A. WINANS for the Peoples Lobby of California, Interested Parties.

## OPINION

By its Interim Opinion and Order (Decision No. 40224, dated April 29, 1947) the Commission granted, in part, the above-numbered application of Asbury Rapid Transit System, to operate a passenger transportation service between the City of San Fernando and that section of the City of Los Angeles known as Hollywood. Further hearings on this and other related matters were held at North Hollywood on May 22, at Van Nuys on May 23, and at Los Angeles on May 21 and 27, 1947. Additional evidence in support of

the entire proposal was offered and the matter has been submitted for determination.

As presently authorized, applicant is permitted to perform a service between San Fernando and the Pacific Electric station at North Hollywood, with one minor restriction. Public testimony indicates that necessity demands that the service be extended through to Hollywood.

Pacific Electric Railway Company, at the same series of hearings, urged that it be permitted to extend its North Hollywood Motor Coach Line through Caheunga Pass into Hollywood, and the same witnesses who testified in support of the Asbury application expressed similar sentiments for Pacific Electric. Analysis of the testimony and the supporting exhibits lead to the conclusion that the extension of either of the services, or both, as proposed, would derive their patronage from the existing service now provided by Pacific Electric Railway Company's rail line and that such diversion would have a serious and lasting effect upon the continuance of this rail service. Without exception, all of the witnesses, both public and company, testified that they had no desire to do anything or see anything done which might adversely affect this rail service.

The Board of Public Utilities and Transportation of the City of Los Angeles has approved service as now rendered under Decision No. 40224 dated April 29, 1947.

Predicated upon the facts as set forth above, we are of the opinion that the public will best be served by the operation of the line as provided for in Decision No. 40224 and that that Order should be reaffirmed. The following Order will so provide:

## ORDER

Public hearing having been held in the above-entitled proceeding, the matter having been duly submitted, and the Commission now being fully advised,

IT IS HEREBY ORDERED that Decision No. 40224, dated April 29, 1947, shall remain in full force and effect and that, in all other respects, Application No. 27488 is hereby denied.

The effective date of this Order shall be twenty (20)

days from the date herpof,

Dated at Mantancisco, California, this 28

day of \_ (hune) , 1947.