

Decision No. 40533**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 PETER F. LAPP, d.b.a. EL CAJON VALLEY)
 LINE, for certificate of public con-)
 venience and necessity to operate)
 automobile passenger service as a) Application No. 28455
 common carrier between the City of)
 El Cajon and the easterly portion of)
 the community of Bostonia, San Diego)
 County, State of California.)

Alton H. Putnam for applicant. Dale Harlan for San
 Diego Electric Railway Company; Edwin L. Thatcher for El Cajon
 Valley Chamber of Commerce, interested parties.

O P I N I O N

Applicant requests authority to establish and operate a passenger stage service between the intersection of Main Street (U. S. Highway 80) and Magnolia Avenue, in the City of El Cajon, thence easterly along Main Street and U. S. Highway 80 to its intersection with Broadway, a distance of approximately two and a half miles. He is now operating in said city and vicinity, pursuant to certificates of public convenience and necessity heretofore granted by this Commission (Decisions Nos. 38917, 40132, and 40373).

A public hearing was held before Examiner Chiesa on July 11, 1947, in the City of El Cajon. Evidence having been adduced, the matter was submitted for decision.

The evidence shows that applicant proposes to operate, with his present equipment, on a two-hour headway, approximately

between 6 a.m. and 8 p.m., although schedules will be revised to meet public demand. Two five-cent fare zones will be established with a fare-break at the intersection of Main Street (U. S. Highway 80) and First Street, approximately midway along said route. No transfer privileges are proposed.

As the San Diego Electric Railway Company now operates a 24-minute service between Magnolia and Mollison Avenues along the proposed route, applicant is willing to accept a restriction against local traffic between Magnolia Avenue and "A" Street, a point approximately two blocks easterly of Mollison Avenue. Upon such restriction's being imposed, the San Diego Electric Railway Company offered no objection to this application.

Between one hundred and two hundred persons attended the hearing and several representative citizens of the community testified in favor of the application. Their testimony clearly shows that a need exists for the proposed service. The area along U. S. Highway 80, which is known as Main Street, within the city, is rapidly developing. There are several hundred homes along the proposed route and also many small business establishments. The service will also be a convenience to persons living in the so-called "back country" as they will need to walk or travel only to the highway to reach public transportation whereas they now must find a means of transportation at least as far as Mollison Avenue.

The evidence is substantial that the proposed service is in the public interest and we find that public convenience and necessity require its establishment and operation.

The application was not opposed.

C R D E R

A public hearing having been had herein, and the Commission being fully advised, and it having been 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 Peter F. Lapp, an individual, 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 and their baggage, between the intersection of Magnolia Avenue and Main Street (U. S. Highway 80), in the City of El Cajon, and the intersection of U. S. Highway 80 and Broadway, and intermediate points, as an extension and enlargement of, and to be consolidated with, applicant's existing operative rights in said territory, subject to the following restriction:

No passengers having both origin and destination between Magnolia Avenue and "A" Street, along Main Street (U. S. Highway 80), shall be carried.

(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, Peter F. Lapp shall conduct said passenger stage operation over and along the following described route:

Beginning at the intersection of Magnolia Avenue & Main Street (U. S. Highway 80), in the City of El Cajon, thence easterly along Main Street and U. S. Highway 80 to the intersection of said highway & Broadway.

Applicant is authorized to turn his 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.

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

Dated at San Francisco, California, this 22nd day of July, 1947.

Harold P. Kule
Justin J. Casanova
Walter H. Russell
A. J. [Signature]

COMMISSIONERS