

Decision No. 40725

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE application )  
of FRANK J. BARKO, doing business )  
as, Fontana Bus Line, for a )  
certificate of public convenience )  
and necessity to operate an auto )  
stage line for the transportation )  
of passengers and their hand lug- )  
gage in same vehicle between )  
Ontario and Fontana, and inter- )  
mediate points as an extention of )  
present service. )

Application No. 28436

De Witt M. Manning, for applicant; Jack Schind for  
Citrus Belt Lines, protestant; Rev. Walter Mikosz, representing  
Newman High School, and R. R. Bacon, representing Kaiser Company,  
interested parties.

O P I N I O N

Frank J. Barko, doing business as Fontana Bus Lines,  
operates a passenger stage service in Fontana and vicinity, serv-  
ing the Kaiser steel plant, and between Fontana and Colton (De-  
cisions Nos. 38302 and 38605)<sup>(1)</sup>. Applicant requests authority  
to extend his present operation from the Kaiser plant in Fontana  
westerly along San Bernardino Avenue to the City of Ontario.

A public hearing was held before Examiner Chiesa at

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(1) Applicant has also filed Application No. 28437, which is  
now pending, requesting authority to establish a new route  
in the City of Colton and vicinity.

Ontario on September 3, 1947. Evidence, oral and documentary, having been adduced the matter was submitted for decision.

The evidence shows that there is sufficient demand for the proposed service to justify its establishment and operation. The supervisor of employees' service at the Kaiser plant testified that one-third of the employees of this company reside westerly of said plant, many in the general vicinity of Ontario and Upland; that his company now subsidizes a bus transportation service between said cities and steel plant and that the service proposed herein is a public necessity and would be convenient for a considerable number of employees who must now use other means of transportation; that the proposed service is also required and would be convenient for several hundred residents of the Kaiser Community Homes, a residential project of approximately 365 homes, located in the northeasterly portion of the City of Ontario. The rector of the Newman High School in Fontana testified that bus transportation along the proposed route is needed by students who reside in Ontario. The evidence also shows that there is a need for bus transportation between Fontana and Colton to accommodate persons desiring to shop or transact business in Ontario, and for children attending schools in said city. The proposed service would also enable students and others to attend special school activities.

Applicant proposes to inaugurate service with approximately eleven daily schedules, commencing approximately at 6:30 a.m. and continuing to 12:30 a.m. Headways will be somewhat

irregular due to the character of the area proposed to be served, but generally there will be approximately four morning, four afternoon, and three evening trips in each direction. The length of the extension is about 9½ miles and it is proposed to establish four 10-cent fare zones with fare breaks along San Bernardino Avenue at Etiwanda, Vineyard, and Cucamonga Avenues. Interzone fares will be five cents additional for each zone traversed. Applicant proposes to commence operations with a 1946, 27-passenger Ford transit type bus.

Citrus Belt Lines, a passenger stage corporation operating in Ontario and vicinity, and between Ontario and Chino, protested applicant's proposal to serve the Kaiser Community Homes located southerly of San Bernardino Avenue (applicant's proposed route) between Cucamonga Avenue and Allyn Avenue. Allyn Avenue, the westerly boundary of said community, is a north-south street parallel to and at least one-fourth mile easterly of Campus Avenue along which street protestant operates one of its routes. Applicant does not propose to transport passengers locally west of the intersection of Allyn Avenue and San Bernardino Avenue. With such a restriction applicant's operation would not be competitive, to any important degree, with protestant's present operations.

Applicant has also consented to a restriction against the transportation of through passengers between points west of Campus Avenue, Ontario, on the one hand, and points east of the west city limits of Colton, on the other hand. This restriction

will not inconvenience the public as a more direct bus service is available between Ontario and Colton.

The application is not otherwise opposed. The City of Ontario did not enter an appearance.

After full consideration of the evidence of record in this matter, the Commission is of the opinion and finds that public convenience and necessity require that this application be granted.

O R D E R

Application as above entitled having been filed, a public hearing having been held thereon, the matter having been submitted, the Commission being fully advised in the premises and hereby 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 Frank J. Barko, 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 between the Kaiser Company Plant (near Fontana) and Ontario, and intermediate points, as an extension and enlargement of and to be consolidated with applicant's present operative rights subject to the following conditions and restrictions:

- (a) No passengers shall be transported having both origin and destination in the City of Ontario

west of the intersection of San Bernardino Avenue (Fourth Street) and Allyn Avenue.

- (b) No through passengers shall be transported between points west of Campus Avenue, Ontario, on the one hand, and points east of the west city limits of Colton, on the other hand.

(2) That in providing service pursuant to the certificate herein granted, applicants shall comply with and observe the following service regulations:

- (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, Frank J. Barko shall conduct said passenger stage operation over and along the following described route:

Beginning at the intersection of San Bernardino Avenue and Cherry Street, thence westerly along San Bernardino Avenue, Fourth Street (which is a continuation of San Bernardino Avenue in the City of Ontario), thence southerly along Euclid Avenue to applicant's terminus at the Pacific Electric bus depot.

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 23<sup>rd</sup> day of September, 1947.

Harold A. Kula

Justin J. Callahan

Wm. H. Powell

A. J. Johnson

Wesley P. Potter  
COMMISSIONERS