

ORIGINAL

Decision No. 42283

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 PACIFIC ELECTRIC RAILWAY COMPANY, a)
 corporation, for permission to dis-)
 continue rail passenger service on) Application No. 29705
 its Long Beach-San Pedro Line, sub-)
 stituting therefor motor coach serv-)
 ice, and for an in lieu certificate)
 of public convenience and necessity.)

E. L. H. Bissinger for applicant; George M. Stephenson
 for San Pedro Bus Company, Robert Landier, doing business as
 La Rambla Bus Line and Harbor Hills Bus Line, and Ralph Curasco,
 doing business as Harbor Transit Company, protestants; T. M. Chubb
 for City of Los Angeles, and R. E. Thomas for Pacific Greyhound
 Lines, interested parties..

O P I N I O N

Pacific Electric Railway Company requests authority to discontinue rail passenger service on its Long Beach-San Pedro Line and to substitute therefor a motor coach service. Applicant also seeks alternate routes via Alameda Street, Avalon Boulevard, and Fries Avenue, for the purpose of transporting passengers between Long Beach and the Catalina Island Steamship Line terminal. It is proposed to retain rail passenger operative rights over the West Basin Line between the intersection of "B" Street & Island Avenue, Wilmington, and First Street Junction, San Pedro, and to continue rail freight operations over that portion of the Long Beach-San Pedro Line over which regular freight operations are now performed.

A public hearing was held at Los Angeles on November 5, 1948, at which time oral and documentary evidence was adduced and the matter was submitted for decision.

Applicant now operates five wooden-type rail cars on said line which it proposes to replace with five modern motor coaches of standard make and of not less than 40-passenger capacity.

The present rail service is operated between the hours of 5:02 a.m. and 12:24 a.m., using 1000-class cars with approximately 20-minute service during peak periods and 40-minute service during midday and evening hours. A total of 31 trips is operated in each direction. Service is slightly curtailed on Sundays.

The schedule of the proposed bus service provides for 20-minute frequency during peak periods with a basic 30-minute service for the remainder of the day and on Sundays and holidays. There will be approximately 45 round trips between the hours of 5:02 a.m. and 1:05 a.m.

Motor coach fares proposed to be established are basically the same as fares now in effect on the rail line⁽¹⁾.

Applicant has estimated that the proposed substitution would result in annual savings of \$15,791 on an out-of-pocket basis and \$67,927 on a full-cost basis.

(1)	BETWEEN	ONE WAY FARES			
		LONG BEACH (Station)	ANAHEIM ST. & LONG BEACH-LOS ANGELES CITY LIMITS	WILMINGTON (Alameda St.)	LONG BEACH (Willow St. Station)
	PICO AVE. & ANAHEIM ALAMEDA STREET	10¢
	WILMINGTON (San Pedro Lbr. Co. or Catalina Dock)	10¢	15¢
	SAN PEDRO STATION (5th & Harbor Blvd.)	15¢	10¢	...	20¢
		20¢	15¢	10¢	25¢
		COMMUTATION FARES			
	Where One-Way Fare Is	30-Ride Commutation Ticket Will Be		40-Ride School Commutation Ticket Will Be	
	10¢	...		\$2.40	6¢
	15¢	...		3.60	9¢
	20¢	\$5.40	18¢	4.80	12¢
	25¢	6.45	21¢	6.00	15¢

Protestants, San Pedro Motor Bus Company and Robert Landier operate a bus service in San Pedro, and protestant Ralph Curasco operates a bus service in Wilmington, along portions of applicant's proposed route. It is the San Pedro operators' position that applicant should not be permitted to handle local passengers along Harbor Boulevard and Wilmington-San Pedro Road between 6th Street and Seaport Drive, a distance of approximately one and one-half miles. The Wilmington operator protests that local traffic should be forbidden applicant along Anaheim Street between McFarland and Watson Avenues, a distance of approximately seven blocks. The basis of their objections is that the proposed service would be detrimental to their operation because of its competitive nature. Protestants presented no evidence in support of their objections other than a route map (Exhibit No. 4).

The record shows, and we find, that applicant's rail line now operates within a distance of two-tenths of a mile of protestants' bus routes in the areas in question; that said rail service is now competing with protestants' service for local traffic; that applicant's proposed bus route and stops are substantially the same as the present rail operation; and that the proposed bus service is an improvement over the present rail service.

The evidence in this proceeding does not show that applicant's proposal will have any material effect upon protestants' revenues. Applicant's service is primarily an intercity operation and although it is proposed to handle local traffic along a portion of its route applicant's schedule does not indicate an intent to enter the field of strictly local transportation in the communities of San Pedro and Wilmington. An examination of the map exhibits

(Exhibits "A" & 4) clearly shows that applicant's present rail service is competitive locally with protestant's bus lines in the disputed areas. The objections are not justified by the record and it is apparent from the evidence that the proposed substitution is in the public interest.

It was also suggested, on behalf of protestants, that applicant should be required to make a showing of public convenience and necessity. The point is without merit in view of applicant's long-established, unrestricted service in said areas.

The record further shows that the portion of the proposed bus route between the intersection of Santa Fe Avenue & Anaheim Street and the east bank of the Los Angeles River is either within one block or actually coincides with its present rail line. Applicant has indicated a willingness to accept a restriction forbidding it to accept local passengers easterly of said intersection of Santa Fe Avenue & Anaheim Street in favor of a carrier operating in said area under a municipal franchise. The evidence does not justify the imposition of the proposed restriction westerly of the east bank of said river. Applicant has, for many years, been privileged to operate an unrestricted rail service along said portion of the proposed route and the public should not be denied an improved and convenient service resulting from the proposed substitution. There is nothing in the record to indicate that a continuation of the competitive relations along said portion of the proposed route would have any material effect on the revenues of any other carrier.

A restriction easterly of the Los Angeles River appears to be justified as the proposed bus route deviates materially from the present rail route along the portion of the line which is served by other carriers.

Upon full consideration of the entire record in this proceeding the Commission is of the opinion and finds the facts to be as set forth hereinabove and that public convenience and necessity require the establishment and operation of a passenger stage service and a discontinuance of rail passenger service, as proposed, subject to certain restrictions and conditions as hereinafter provided.

O R D E R

Public hearing having been held in the above-entitled proceeding, the Commission being fully advised in the premises 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 Pacific Electric Railway Company, a corporation, authorizing it to establish and operate 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 San Pedro and Long Beach, and intermediate points, as an extension and enlargement of, and to be consolidated with, applicant's present operative rights, subject to the following restrictions:

- (a) No passenger shall be carried having both point of origin and point of destination easterly of the Los Angeles River.
- (b) Applicant shall use the alternate route hereinafter described only for the transportation of passengers between Long Beach and the Catalina Island Steamship Line terminal.

(2) That in providing service pursuant to the certificate herein granted, there shall be compliance with 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 five (5) days' 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, Pacific Electric Railway Company shall conduct said passenger stage operation over and along the following described routes:

Long Beach-San Pedro Route

Beginning at the intersection of Pacific Avenue & 3rd Street (Long Beach), thence along Pacific Avenue, Ocean Boulevard, Chestnut Avenue, 3rd Street, Pacific Avenue, 7th Street, Pico Avenue, Anaheim Street, McFarland Avenue, "D" Street (Wilmington), Avalon Boulevard, "B" Street, Wilmington-San Pedro Road, Harbor Boulevard (San Pedro), Marino Way, 6th Street, Harbor Boulevard, 5th Street to its intersection with Harbor Boulevard.

Alternate Routes

Beginning at the intersection of Anaheim & Alameda Streets (Wilmington), thence along Alameda Street, "D" Street to its intersection with McFarland Avenue. Also, beginning at the intersection of "D" Street & Broad Avenue, thence along Broad Avenue, "B" Street to its intersection with Avalon Boulevard. Also, beginning at the intersection of Broad Avenue & "B" Street, thence along Broad Avenue, Avalon Boulevard, Water Street (steamship terminal), Fries Avenue to its intersection with "B" Street.

Applicant is authorized to turn its 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 the passenger stage service hereinabove authorized shall be in accordance with the standards established by Decision No. 41152, dated January 19, 1948, in Application No. 27466 and related proceedings.

(4) That applicant be, and it hereby is, authorized to discontinue rail passenger service on its Long Beach-San Pedro Line.

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

Dated at San Francisco, California, this 7th day of December, 1948.

[Signature]
Justice T. Quinn
[Signature]

COMMISSIONERS