

ORIGINAL

Decision No. 42899

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SAN JOSE CITY LINES, INC., for authority) Application No. 30072
to reroute a portion of its Park Avenue)
Line No. 7 in the City of San Jose.)

Campbell, Hayes, and Custer, by Frank V. Campbell, for
applicant.
Tipton O'Neill, Associate Planning Engineer, for the City of
San Jose, interested party.
Mrs. J. W. Garner and Richard Conniff, protestants.

O P I N I O N

In this proceeding San Jose City Lines, Inc., requests authority to discontinue passenger stage service over a short loop route in the Rose Garden district of San Jose beginning at the intersection of Park Avenue and Naglee Avenue, thence along Naglee, Dana, and Emory Avenues to Park Avenue. In lieu of operations over those avenues applicant requests authority to operate along Park Avenue for a distance of about one block between Naglee Avenue and Emory Avenue. A public hearing in this matter was had before Examiner Paul at San Jose on May 3, 1949, and the matter was submitted.

The route proposed to be discontinued is an integral part of applicant's Park Avenue Line No. 7 which begins in the central business section of San Jose and terminates at the intersection of Alviso Avenue and Newhall Avenue in the City of Santa Clara about two blocks beyond the boundary of San Jose. The over-all length of this route is approximately 3 miles. Applicant's superintendent testified that the length of the loop proposed to be discontinued is about one-half mile which would be supplanted by operating along

Park Avenue one-tenth of a mile. It requires about three minutes to traverse the loop route which would be saved under applicant's proposal. A 16-day check covering the entire day service period between December 16, 1948, and January 24, 1949, indicated that on the average 1.78 persons per trip were either discharged or picked up on the Rose Garden loop. The witness testified that certain traffic hazards are involved in operating over the loop which include two left turns across traffic at Park Avenue and Naglee Avenue and at Park Avenue and Emory Avenue. Headlights of oncoming vehicles through an underpass at Naglee Avenue and Dana Avenue during the nighttime constitute a hazard it was asserted. ✓

Trees and shrubbery at the intersection of Emory Avenue and Park Avenue obscure southbound traffic on Park Avenue when applicant's vehicles make left hand turns into Park Avenue. The students of a grammar school and of a high school and the residents in the Rose Garden district utilize the service provided over the Rose Garden loop. The witness stated that these students and the residents of the district would be required to walk distances no greater than approximately one-third of a mile to reach the Park Avenue Line. Students of the high school would need to walk only about one-fourth mile. He also pointed out that passengers having point of origin and point of destination requiring them to ride around the Rose Garden loop route are inconvenienced by the loss of time over the longer route. The witness stated that there had been a number of traffic accidents at the intersection of Dana and Naglee Avenues where applicant turns across traffic which hazard would be avoided if the application were granted. However, it was not indicated that applicant's equipment was involved in any of these accidents. ✓

As further justification for the authority sought, the witness stated that applicant plans to extend the line here involved some time in the future, from its present terminus at Newhall Avenue and Alviso Avenue about one-half mile to serve new residential areas, known as the Kaiser Tract, which are now in the process of development. Evidence was produced to show the potential public need for the contemplated extension. As there is no request in this proceeding to establish that extension, that evidence has no materiality here, and need not be discussed.

Residents and representatives of schools in the Rose Garden district protested the granting of the application. They contended that applicant's proposal would leave that district without adequate transportation. Protestants had made a check of the number of passengers picked up or discharged by applicant on the Rose Garden loop. A witness for protestants testified that these checks were made on April 21 and 27, 1949, between the hours of 6:30 A.M. and 6:30 P.M. On those days applicant transported 312 and 328 respectively on 72 trips each day or an average of 4.4 passengers per trip. It was further stated that elimination of the loop would increase by about one-fourth mile the walking distance for many users of the Park Avenue Line in the Rose Garden district.

After full consideration of the material evidence of record it is our conclusion that a sufficient showing has not been made to justify discontinuance of operations over the Rose Garden loop as here proposed by applicants. Therefore, the application must be denied. However, our conclusion is without prejudice to a renewal of the application whenever applicant requests authority to extend service to the Kaiser Tract.

O R D E R

An application having been filed requesting authority to reroute operations, a public hearing had thereon, the Commission being fully informed therein and based upon the evidence of record and conclusions expressed in the foregoing opinion,

IT IS ORDERED that Application No. 30072 is hereby denied.

The effective date of this order shall be 20 days after the date hereof.

Dated at San Francisco, California, this 24th day
of May, 1949.

A. Z. [Signature]
Justice F. [Signature]
[Signature]
Harold P. [Signature]
[Signature]
COMMISSIONERS