

ORIGINAL

Decision No. 40452

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 CHARLES H. METZGER for certificate)
 to operate passenger vehicles for)
 bus and limousine service as a common) Application No. 30424
 carrier between Camarillo State Hos-)
 pital, Naval Air Missile Test Center,)
 Point Mugu, and Santa Monica, Beverly)
 Hills, Los Angeles, and Hollywood.)

Tobias C. Klinger for applicant; Douglas Brookman
and R. E. Thomas for Pacific Greyhound Lines,
 protestant; E. W. Hively and B. T. Galahan for
 Board of Public Utilities & Transportation of the
 City of Los Angeles, interested party.

O P I N I O N

Applicant is now authorized to operate a sightseeing service, as a common carrier, over five described routes, in Los Angeles County, with the City of Santa Monica as his terminus (Decisions Nos. 40536 and 41857).

By this application, Charles H. Metzger requests authority to establish and operate a passenger stage service between Los Angeles, Hollywood, and Santa Monica, on the one hand, and the Naval Air Missile Test Center, at Point Mugu, and the Camarillo State Hospital, on the other hand, the service to be restricted to passengers originating at, or destined for, the said center or hospital.

A public hearing was held at Los Angeles on September 13 and October 5, 1949. Evidence having been adduced, the matter was submitted for decision.

One Naval officer, three hospital employees, and four hospital visitors testified in support of this application. Applicant and his wife also expressed their views, under oath, that a need exists for the proposed service.

The officer in charge of enlisted personnel testified that there are several thousand service men and civilian employees at the Naval Air Missile Test Center at Point Mugu, located on U. S. Highway No. 101 Alternate, approximately nine miles south of the City of Oxnard; that the principal need is for transportation of military personnel, leaving the Center between the hours of 4:30 p.m. and 7:00 p.m., and returning to the Center between 5:30 a.m. and 7:45 a.m.; that the heaviest southbound travel is on Friday; that he did not have knowledge of the service proposed by applicant nor of the present service to and from Point Mugu operated by protestant. No other public witness testified that a need exists for an additional public transportation service, to and from Point Mugu, as proposed by applicant.

Applicant's proposed schedules (Exhibit "B" attached to application) do not meet the needs of the servicemen as outlined by their personnel officer. On the other hand, the record shows that protestant operates ten schedules daily, in each direction, between Point Mugu, Santa Monica, and Los Angeles, including southbound schedules leaving Point Mugu at 4:51 p.m. and 7:21 p.m., and a northbound schedule arriving at Point Mugu at 6:24 a.m. (Exhibit No. 5).

The three hospital employees testified that there is no direct public transportation service to and from the hospital which is located approximately five miles south of the town of

Camarillo; that the present service of Pacific Greyhound Lines is inadequate because of the necessity of hiring a taxi from Camarillo to the hospital. Only one of said witnesses testified that he needed public transportation. He travels between Hollywood and the hospital on week ends. The other two witnesses use other means of transportation. Their testimony was of a general character and did not indicate a daily need for a passenger stage service. The principal need appears to be for a Sunday schedule to accommodate visitors.

The four public witnesses who testified were, or are, occasional visitors, and, although the evidence indicates that there are other persons who likewise on occasion visit relatives or friends confined at the hospital, no data showing the number of week-day visitors that originate in the Santa Monica and Los Angeles areas were presented.

Protestant Pacific Greyhound Lines now operates a frequent scheduled service between Los Angeles, Hollywood, and Camarillo. However, visitors to the hospital, if using public transportation from the Los Angeles area, must get off at Camarillo and transfer to a taxi. Protestant also operates a regular transportation service between Santa Monica and Oxnard, and between Oxnard and Camarillo. The latter service operates along East Fifth Street and bypasses the Camarillo Hospital approximately four miles northerly thereof. This clearly is not a convenient transportation service for persons traveling to and from the hospital. Protestant has recently filed an application (Application No. 30652) requesting authority to extend its present operating authority to said hospital and it proposes to inaugurate a direct service between

Los Angeles, Hollywood, Santa Monica, and the Camarillo Hospital, via Oxnard, by operating one round trip on Sundays to accommodate visitors. This service is being established at the request of the hospital superintendent.

Upon the evidence of record we cannot find that public convenience and necessity require the establishment of an additional passenger stage service between Point Mugu, on the one hand, and Santa Monica and Los Angeles, on the other hand. We find that the schedules of Pacific Greyhound Lines, serving between said points, are adequate for the present needs of the military personnel and civilian employees now stationed at the center. Further, the record will not support a finding that a public need exists for a regular week-day service between Los Angeles and Santa Monica, on the one hand, and the Camarillo State Hospital, on the other hand, or that such a service, if established, would be compensatory.

Protestant is the existing passenger stage operator in the territory and manifested its willingness to provide a direct service to and from said hospital by filing Application No. 30652 which was consolidated with the instant application for hearing. Under the circumstances, protestant's proposal appears to be satisfactory, and it is our opinion that the existing carrier in the territory should be granted the operating authority.

O R D E R

A public hearing having been held in the above-entitled proceeding, the Commission being fully advised in the premises, and being unable to find that public convenience and necessity so require,

A. 30424 - MVC:FJ

IT IS ORDERED that the application of Charles H. Metzger, Application No. 30424, be, and it hereby is, denied.

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

Dated at San Francisco, California, this 25th day of October, 1949.

R. E. Zimmerman
Justice J. C. Brewer
Joseph L. Powell
Harold P. Hale
Herbert H. Potter
COMMISSIONERS