

Decision No. 44026

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 ASBURY RAPID TRANSIT SYSTEM, a corpora-)
 tion, for authority to abandon certain)
 portions of its common carrier service)
 for the transportation of passengers) Application No. 30988
 on its VAN NUYS-NORTH HOLLYWOOD-BURBANK)
 LINE, and for the removal of certain)
 restrictions with respect to the remainder)
 of said line.)

Don L. Campbell and Rodney F. Williams, for applicant.
Thomas V. Tarbet, for Board of Public Utilities and Transportation
 of the City of Los Angeles; Harmon R. Bennett, Planning and Trans-
 portation Engineer, City of Burbank, interested parties.

O P I N I O N

In this proceeding, applicant seeks authority to discon-
 tinue portions of its Van Nuys-North Hollywood-Burbank motor coach
 line and to remove certain restrictions on the remainder of the
 line. The service is presently conducted pursuant to restricted
 authority terminating 90 days after the official termination of
 World War II, or at such time as the Commission, by further order,
 may designate⁽¹⁾.

Public hearing was held in this matter before Examiner
 Rogers, at Burbank, on March 27, 1950, at which time and place
 evidence was taken and the matter submitted for decision.

(1) Decision No. 35114, dated March 10, 1942, on Appl. No. 24795;
 Decision No. 36259, dated March 30, 1943, on Appl. No. 25361;
 Decision No. 36315, dated April 27, 1943, on Appl. No. 25361;
 Decision No. 36494, dated July 20, 1943, on Appl. No. 25643.

The public was advised of the hearing by notices posted in all of applicant's buses and in its offices and depots, in accordance with the requirements of the Commission. Interested carriers were notified. There was no opposition to the granting of the petition.

Applicant seeks to discontinue service on the western portion of said route, in the city of Los Angeles, between the intersection of Sepulveda Boulevard and Van Owen Street, on the one hand, and the intersection of Riverside Drive and Colfax Avenue, on the other hand, and on the eastern portion, in the city of Burbank, between the intersection of Alameda Avenue and San Fernando Road, on the one hand, and the intersection of San Fernando Road and Victory Place, on the other hand. Applicant also seeks authority to make a turnaround on the eastern end of the shortened route by operating along Victory Place, Empire Avenue, and Maria Street. Applicant further seeks the removal of the existing restrictions on the remainder of the route.

The western portion of the route on which applicant seeks to discontinue service proceeds from the intersection of Sepulveda Boulevard and Van Owen Street, east along Van Owen Street to Van Nuys Boulevard, south on Van Nuys Boulevard to Victory Boulevard, east on Victory Boulevard to Laurel Canyon Boulevard, south on Laurel Canyon Boulevard to Riverside Drive, east on Riverside Drive to Colfax Avenue. As to this portion of the route, the Pacific Electric Railway Company maintains frequent motor coach service along Van Owen Street and along Van Nuys Boulevard. This company also maintains frequent motor coach service along Victory Boulevard between Van Nuys Boulevard and Whitsett Avenue, about a half mile west of Laurel Canyon Boulevard, and a rail service on

Chandler Boulevard across Laurel Canyon Boulevard. On Laurel Canyon Boulevard the applicant maintains, in addition to the service sought to be discontinued, an hourly service commencing near Victory Boulevard and proceeding south below Riverside Drive. This service is restricted and not available to passengers having both origin and destination on Laurel Canyon Boulevard between Victory Boulevard and Magnolia Boulevard. All of the above-described portion of the route of applicant is within a reasonable distance of other comparable service.

The eastern portion of the route on which applicant seeks to discontinue motor coach service extends along San Fernando Road between Alameda Avenue and Victory Place. Along San Fernando Road, applicant is presently operating three services on very frequent schedules.

A check, covering the period from January 23, 1950, to January 28, 1950, inclusive, shows that, during that period 1,248 persons used the applicant's transportation over the described route. Of these passengers, only 55 will be without any transportation furnished by applicant if this petition is granted. These 55 passengers will be served by competing carriers or will be within reasonable walking distance of some public carrier service. The remainder of the persons who used the service during the check period would be served by either the remainder of the present line, direct Asbury transportation, or connecting Asbury transportation.

The above-described proposed abandonments of service are justified by reason of the lack of patronage therefor and in the interests of economy, as the revenue from said portions is very light.

The applicant alleges that public convenience and necessity require the continuance of its present operation between the intersection of Colfax Avenue and Riverside Drive in North Hollywood over its present route to the intersection of Victory Place and San Fernando Road, and that the service from that point be operated in both directions via Victory Place to the intersection of Victory Place and Maria Street, with a turnaround via Victory Place, Empire Avenue, and Maria Street, and that public demand for service over that portion of the route sought to be continued is of a permanent nature. This allegation is supported by the evidence that, during the mentioned six-day check period, 860 passengers used the applicant's transportation over this portion of the route proposed to be continued in operation.

The Pacific Electric Railway Company operates along Lankershim Boulevard to and from the North Hollywood business area. If applicant's service is continued along Lankershim Boulevard and Tujunga Avenue, it will, in part, duplicate the present motor coach service of the Pacific Electric Railway Company, and, in part, closely parallel that company's existing motor coach service along Lankershim Boulevard. Applicant's service should, therefore, be restricted to prohibit the transportation of passengers having both origin and destination between the intersection of Magnolia Boulevard and Lankershim Boulevard and the intersection of Victory Boulevard and Tujunga Avenue.

Applicant proposes to use one bus on the shortened route if authorized. This bus would make six round trips daily between Colfax Avenue and Riverside Drive, on the one hand, and Empire Avenue and San Fernando Road, on the other hand.

After full consideration of the application, the Commission is of the opinion and finds that public convenience and necessity require the continued operation of the existing passenger stage service between Colfax Avenue and Riverside Drive, on the one hand, and Empire Avenue and San Fernando Road, on the other hand.

In order to clarify applicant's operating rights, the Commission will grant a new certificate of public convenience and necessity in lieu of the certificates heretofore granted.

O R D E R

Application having been filed, a public hearing having been had, and the Commission being fully advised in the premises and having found that public convenience and necessity so require,

IT IS ORDERED that a certificate of public convenience and necessity be, and it hereby is, granted to Asbury Rapid Transit System, a corporation, authorizing the establishment and operation of a service as a passenger stage corporation, as defined in Section 2 $\frac{1}{4}$ of the Public Utilities Act, for the transportation of persons, between the intersection of Colfax Avenue and Riverside Drive, in the city of Los Angeles, on the one hand, and the intersection of Empire Avenue and San Fernando Road, in the city of Burbank, on the other hand, and intermediate points, subject to the following restriction and condition:

No passenger shall be transported having both origin and destination between the intersection of Magnolia Boulevard and Lankershim Boulevard and the intersection of Victory Boulevard and Tujunga Avenue.

IT IS FURTHER ORDERED that, in providing service pursuant to the certificate herein granted, there shall be compliance with the following service regulations:

- (a) Within thirty (30) days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted.

- (b) Within sixty (60) days after the effective date hereof, and upon not less than five (5) days' notice to the Commission and the public, applicant shall 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, Asbury Rapid Transit System shall conduct said passenger stage operation over and along the following described route:

Beginning at the intersection of Riverside Drive and Colfax Avenue, thence along Riverside Drive, Tujunga Avenue, Magnolia Boulevard, Lankershim Boulevard, Tujunga Avenue, Van Owen Street, Clyburn Avenue, Empire Avenue to Lockheed Airport, Lockheed Airport to Hollywood Way, San Fernando Road, Victory Place, Empire Avenue, Maria Street, returning via reverse of the above route.

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 intersections, or in accordance with local traffic rules.

IT IS FURTHER ORDERED that the foregoing certificate be granted in place and stead of, and shall supersede, all operative rights heretofore granted by Decision No. 35114, in Application No. 24795; Decision No. 36259, in Application No. 25361; Decision No. 36315, in Application No. 25361; and Decision No. 36494, in Application No. 25643; and the operative rights heretofore granted by said decisions, and each of them, are hereby revoked and annulled.

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

Dated at San Francisco California, this 11th day of April, 1950.

R. Z. Anderson
Justice J. C. Brewer
Dean H. Lawrence
Harold P. Hulse
Kenneth J. Patten
COMMISSIONERS