

Decision No. 44987

ORIGINAL

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 SAN BERNARDINO VALLEY TRANSIT COMPANY, )  
 a corporation, for authority to aban- )  
 don service on portions of Route 5 )  
 along Valencia Avenue, Highland )  
 Avenue, Del Rosa Avenue and in Del ) Application No. 31654  
 Rosa Estates; and to abandon all of )  
 Route 7; and for a certificate to )  
 operate a short distance on Valencia )  
 Avenue as a portion of Route 5. )

Guthrie, Lonergan & Jordan, by John B. Lonergan,  
 attorneys for applicant; Ruth Vanderwyde, Amelia Carnahan, Irene  
Poppett, for The Harris Company, Edna Puckett, Myrtle Dahlberg,  
Ben Garner, Elmyra Graves, W. H. Jett, protestants.

O P I N I O N

Applicant now operates as a "passenger stage corporation"  
 (1)  
 in and around the City of San Bernardino. By the application  
 herein it seeks authority to abandon Line No. 7 and to abandon  
 a portion of, and to make an extension on, Line No. 5.

A public hearing was held before Examiner Rogers at  
 San Bernardino, on October 11, 1950, at which time oral and  
 documentary evidence was adduced and the matter was submitted  
 for decision.

Prior to the hearing, notice thereof was published in  
 a newspaper of general circulation in the City of San Bernardino

(1) Decision No. 43177, dated August 2, 1949, on Application  
 No. 30363, as amended by Decision No. 44456, dated June 27,  
 1950, on Application No. 31348.

and posted in applicant's affected buses. The Cities of San Bernardino and Colton, and the County of San Bernardino, were notified of the hearing. Eight public witnesses appeared in opposition to the proposed abandonment of Line No. 7, and one public witness appeared in opposition to the proposed abandonments on Line No. 5.

Line No. 7 commences at the intersection of Gardena Street and U.S. Highway 99, the east end of the line, and proceeds via U.S. Highway 99, Waterman Avenue, Mill Street, Arrowhead Avenue, 3rd Street, F Street, Rialto Avenue, K Street, Mill Street and Bunker Hill Drive to Grant Avenue, the west end of the line.

On July 12, 1950, applicant filed a petition for an increase in fares <sup>(2)</sup>. Therein applicant specifically requested authority only to increase the price of its tokens or tickets, and alleged that such authority would increase its then gross revenue by \$23,700 per year. On August 2, 1950, an amendment to the application was filed. This amendment alleged that the \$23,700 increase, if granted, would overcome applicant's operating deficit, and, further, stated that "applicant will, at a later date, after further study, file an amended application for a permanent adjustment of its fares." On September 11, 1950, by Decision No. 44776, the requested increase was authorized, the Commission stating that applicant could file an application for further increase in fares if it so desired. The effective date of Decision No. 44776 was October 1, 1950.

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(2) Application No. 31574.

The application herein was filed on August 5, 1950, and alleges that applicant will lose \$2,555.40 per year by the continued operation of Line No. 7. Its figures are, however, based upon the fares which were in effect prior to December 1, 1950, the effective date of Decision No. 44776. Applicant's evidence shows that, from a traffic check made on September 27, 28, and 29, 1950, on Line No. 7, 358 passengers per day are carried 161.6 miles, and that, under the fares authorized by Decision No. 44776, applicant, for such service, would gross \$35.90, or 22.22 cents per mile, and that it costs applicant 30.98 cents per mile to perform the service. Such evidence further shows that the east end of Line No. 7, that portion south and east of the intersection of Pioneer Avenue and Waterman Avenue, is productive of nine cents per mile revenue only, and that an average of 32 passengers per day use this end of the line. The evidence further shows that there is no other public transportation within reasonable walking distance of this end of Line No. 7; that people there need public transportation; and that there are 94 homes, a motor court and some business houses situated there. The evidence further shows that there is public passenger bus service available within a reasonable walking distance over all of Line No. 7 north and west of Arrowhead Avenue and Mill Street.

The evidence is convincing that there are a substantial number of persons served by Line No. 7 who, in the event service along this line is discontinued, will be without available public transportation; that these people need transportation via Line No. 7; and the record further shows that there has not been a reasonable trial of the results of the fare increase authorized by Decision

No. 44776. Upon careful consideration of evidence herein and the records of the Commission, the Commission is of the opinion, and finds, that the application to abandon designated portions of Line No. 7 should be, and the same hereby is, denied.

In addition to the abandonment of Line No. 7, applicant requests authority to abandon that portion of Line No. 5 along Valencia Avenue between the intersection of 28th Street and Valencia Avenue, and the intersection of 37th Street and Valencia Avenue, and that portion of Line No. 5 along Highland Avenue, Del Rosa Avenue, Las Flores Drive, El Camino Drive, Alto Drive, and La Hacienda Drive, between the intersection of Highland Avenue and Valencia Avenue, and the intersection of La Hacienda Drive and Yucca Drive, and to initiate a passenger bus service along Valencia Avenue in both directions between 28th Street and Highland Avenue, a distance of one-half mile each way.

There was no opposition to the proposed abandonments, other than a stipulation that certain persons, addresses not given, would like to have the service continued.

According to the testimony, a traffic check made on October 3, 4, and 5, 1950, showed that 50 passengers per day used the portions sought to be abandoned. These passengers produced revenue of \$5.50, or 12.7 cents per mile, at a cost to applicant of 30.98 cents per mile. The lack of public interest and the low revenue per mile over the portions of Line No. 5 sought to be abandoned show that these portions serve no substantial public convenience and necessity, and their abandonment should be authorized.

There was no objection to applicant's proposed extension of service along Valencia Avenue between its intersections with Highland Avenue and 28th Street. The evidence shows that this extension, if authorized, would permit applicant to serve a territory in which there are many residences, and in which numerous others are being constructed. No new equipment will be required, and there is no competing service. Full consideration having been given to the matter, the Commission is of the opinion, and finds, that the proposed extension is in the public interest and, therefore, the application will be granted.

O R D E R

Application as above entitled having been filed, a public hearing having been held, the Commission being fully advised in the premises and the matter being under submission,

IT IS ORDERED that the application of San Bernardino Valley Transit Company, a corporation, for authority to abandon portions of Line No. 7, as authorized by Decision No. 43177, dated August 2, 1949, be, and the same hereby is, denied.

IT IS FURTHER ORDERED:

(1) That San Bernardino Valley Transit Company, a corporation, be, and it hereby is, authorized to abandon and discontinue its passenger stage service (a) along Valencia Avenue between the intersection of 28th Street and Valencia Avenue and the intersection of 37th Street and Valencia Avenue, and (b) along Highland Avenue, Del Rosa Avenue, Las Flores Drive, El Camino Drive, Alto Drive, and La Hacienda Drive between the intersection of Highland Avenue and Valencia Avenue and the intersection of La Hacienda Drive and Yucca Drive.

(2) That the applicant be, and it hereby is, authorized to cancel all fares, rules, regulations, and schedules, applying to said service so authorized to be abandoned.

(3) That the operating rights conferred under authority of the certificate of public convenience and necessity granted to San Bernardino Valley Transit Company in the order in Decision No. 43177, dated August 2, 1949, on Application No. 30363, over and along the routes and between the points described in ordering paragraph (1) herein, be, and the same operating rights hereby are revoked and rescinded.

(4) That the route description of Line No. 5 of subparagraph (c) of the second ordering paragraph of said Decision No. 43177, be, and it hereby is, amended to read as follows:

Commencing at the intersection of 27th Street and Davidson Avenue in San Bernardino; thence south along Davidson Avenue to Highland Avenue; east along Highland Avenue to Massachusetts Avenue; south along Massachusetts Avenue to Base Line Street; west along Base Line Street to "L" Street; south along "L" Street to 9th Street; east along 9th Street to "P" Street; south along "P" Street to 4th Street; east along 4th Street to Sierra Way; north along Sierra Way to 19th Street; east along 19th Street to Wall Avenue; north along Wall Avenue to Highland Avenue; east along Highland Avenue to Waterman Avenue; thence (a) north along Waterman Avenue to 28th Street; east along 28th Street to Valencia Avenue; and (b) east along Highland Avenue to Valencia Avenue, and returning (a) and (b) the reverse thereof.

(5) That, at least five (5) days prior to the establishment of the changes in service hereinabove authorized, applicant shall post notices of the route changes in all its buses.

IT IS FURTHER ORDERED:

(1) That a certificate of public convenience and necessity be, and it hereby is, granted to San Bernardino Valley Transit Company, a corporation, 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 along Valencia Avenue in the City of San Bernardino between the intersection of Valencia Avenue and Highland Avenue and the intersection of 28th Street and Valencia Avenue, serving intermediate points as an extension and enlargement of, and to be consolidated with, its present operative rights.

(2) 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, San Bernardino Valley Transit Company, a corporation, shall conduct said passenger stage operation over and along the following described route:

Between the intersection of Valencia Avenue and Highland Avenue and the intersection of Valencia Avenue and 28th Street, over and along Valencia Avenue.

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.

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

Dated at San Francisco, California, this 8<sup>th</sup> day of November, 1950.

R. Z. [Signature]  
Justus J. [Signature]  
[Signature]  
[Signature]  
[Signature]  
COMMISSIONERS