

ORIGINALDecision No. 45509

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
MOUNTAIN STAGE LINE, a corporation,
for a modification of certificate of
public convenience and necessity to
operate a passenger stage between
Julian and San Diego.

Application No. 31917

In the Matter of the Application of
CLAYTON ESLINGER and FREDDIE L. ALLEN,
doing business as SAN DIEGO-CAMPO BUS
LINE, for a certificate of public con-
venience and necessity to operate a
passenger stage service, including
incidental baggage and express between
San Diego and Fletcher Hills.

Application No. 31981
As Amended

In the Matter of the Application of
the EL CAJON VALLEY LINE for a certifi-
cate of public convenience and necessity
to operate a passenger stage service
between Suncrest and San Diego.

Application No. 32125

In the Matter of the Application of the
EL CAJON VALLEY LINE for a certificate
of public convenience and necessity to
reroute, abandon and extend its Fletcher
Hills route.

Application No. 32126

In the Matter of the Application of
SAN DIEGO TRANSIT SYSTEM, a corporation,
for certificate of public convenience and
necessity to permit extension of its routes
C and 7 bus lines; and abandonment of
service on Rolando Boulevard, all in the
city and county of San Diego.

Application No. 32174

E. V. Danforth for Mountain Stage Line, Inc. Ruel H. Liggett for San Diego Economy Line, Inc. Leon W. Scales for San Diego Transit System. E. Werden Conway for El Cajon Valley Line. R. B. Luckenbaugh for California Highway Commission. H. F. Landgraf for the city of San Diego.

O P I N I O N

The above-entitled and numbered applications apply to the same general area and were heard together, and, consequently, all will be disposed of by this one decision. For convenience, each of the four applicants usually will be referred to hereinafter in this opinion by the following short title: Mountain Stage Line will be called the Mountain Line; San Diego-Campo Bus Line, now a corporation known as San Diego Economy Line, Inc., will be called Economy; Peter F. Lapp, doing business as El Cajon Valley Line, will be referred to as Valley; and the San Diego Transit System shall be hereinafter called Transit System.

Mountain Line, which presently operates as a passenger stage corporation for the transportation of passengers between San Diego and Julian, California, under authority of this Commission⁽¹⁾, by its application seeks to modify its route so as to serve the community of Fletcher Hills. The requested alteration of route lies between the intersection of Mission Avenue and Magnolia Avenue (Santee) and the intersection of Alvarado Freeway, Camino Del Rio, and Powers Street. Authority to operate between said points along Magnolia Avenue, Broadway, Lake Murray Boulevard and Alvarado Freeway is sought. Valley, which operates a local service along Magnolia Avenue between Santee and El Cajon, protests this application.

After the filing of Application No. 31981, applicants Clayton Eslinger and Freddie L. Allen, doing business as

(1) Decision No. 44297, dated June 13, 1950, on Application No. 30946, as Amended; Decision No. 44212, dated May 23, 1950, on Application No. 30946, as Amended.

San Diego-Campo Bus Line, pursuant to Commission authority⁽²⁾, transferred their operating equipment and rights to a corporation, San Diego Economy Line, Inc., herein called Economy. Application No. 31981 was, accordingly, amended so as to show said corporation as the applicant. This amended application requests a modification of the existing route between 32nd and Market Streets, on the one hand, and Federal Boulevard and Home Avenue, on the other hand, to follow the realignment of California State Highway 94 (Federal Boulevard) in connection with a traffic interchange between said Highway 94 and Wabash Boulevard. Application No. 31981 also seeks authority to establish a bus line between San Diego and Fletcher Hills over the following route:

Between its present San Diego terminal and the intersection of Federal Avenue and Euclid Avenue over presently certificated streets except for a modification to follow the realignment of Highway 94 in the vicinity of Wabash Avenue; thence via Euclid Avenue, 54th Street, Redwood Street, Lynn Street, Thorn Street, Sparling Street, Streamview Drive, College Avenue, Vista Grande Drive, Margaret Street, Hall Drive, Hoffman Avenue, King Street, Lois Street, 70th Street, Lake Murray Boulevard, Garfield Avenue, Dryden Boulevard, Falmouth Drive, Highland Street, to Lake Murray Boulevard in Fletcher Hills.

Economy now operates a service from San Diego to Campo along Market Street, 32nd Street, F Street, Federal Boulevard, Broadway, Imperial Avenue, and Campo Highway⁽³⁾. Only one trip per month is operated through to Campo, with all other service terminating at Homeland. A restriction now exists against the handling of local passengers between the downtown San Diego terminal and to

(2) Decision No. 45304, dated January 30, 1951, on Application No. 32022.

(3) Decision No. 40900, dated November 12, 1947, on Application No. 28151, and Decision No. 42491, dated February 8, 1949, on Application No. 29953.

and including the intersection of Euclid Avenue and Federal Boulevard. Applicant asks that this restriction be amended so as to prohibit only the transportation of passengers locally west of a point in the vicinity of the intersection of 32nd and Market Streets and that there be no additional restrictions imposed on the proposed route to Fletcher Hills. Transit System and Valley protested Application No. 31981.

Public hearing on Application No. 31917 and on Application No. 31981 was held in San Diego on February 16, 1951, before Commissioner Craemer and Examiner Rowe at which time oral and documentary evidence was received and the matters were continued to March 15, 1951, at the request of Economy, so that it could complete its application by attaching a proper financial statement. At the hearing, protestants Transit System and Valley requested the right to file applications to permit them, as existing carriers, to offer service as required by public convenience and necessity. Also, all parties were in agreement that a study of the needs of the area should be made by the Commission staff which study was presented at the subsequent hearings.

Subsequently, two applications were filed by Valley, being numbered 32125 and 32126, respectively. Transit System also filed its application numbered 32174. Valley, by its Application No. 32125, seeks authority to establish a new service to operate between Suncrest and La Cresta districts and San Diego, over the following route:

From Suncrest via La Cresta, Road RS 435, U. S. Highway 80, Main Street (El Cajon), Cuyamaca Street, Broadway (Fletcher Hills), Lake Murray Boulevard, Alvarado Freeway, Camino Del Rio, Pacific Highway 101, Broadway, and Harbor Drive to Market Street.

The proposed service is designed primarily as a shift-hour service for workers at industrial plants and Naval installations in San Diego. One round trip daily is proposed.

By Application No. 32126, Valley seeks authority to re-route and extend its El Cajon-Fletcher Hills service. The route proposed as a substitute for its present service would be as follows:

From the intersection of Main Street and Cuyamaca Street, northerly along Cuyamaca Street, thence via Broadway, Garfield Avenue, Chatham Street, Highland Street, Blackthorne Street, and Murray Avenue to its intersection with El Cajon Boulevard.

Valley presently operates its passenger stage service between El Cajon and Fletcher Hills under authority of this Commission⁽⁴⁾. Both Application No. 32125 and No. 32126 were protested by Economy. Transit System stated that, inasmuch as the proposed Suncrest-San Diego service would operate through territory included in its present service, it requested the restriction to any authority granted to Valley as follows:

- a. That the restrictions applying under the present certificate for El Cajon Valley Line's authority as to carrying local passengers along Main Street between A Street and Johnson Avenue in the city of El Cajon be continued.
- b. That the proposed operation be restricted to the extent that no passengers may be picked up or discharged on Main Street between A Street and Johnson Avenue, in the city of El Cajon, whose origin or destination is San Diego.

Application No. 32174 is that of Transit System, which operates a motor coach service for the transportation of passengers in and between the cities of San Diego, Coronado, National City, Chula Vista, La Mesa, and El Cajon, and to intermediate points and

(4) Decision No. 411433, dated April 6, 1948, on Application No. 29110.

to points in the surrounding territory, under authority of this Commission⁽⁵⁾.

By its application, Transit System proposes three modifications and extensions of its bus routes serving the eastern portion of San Diego and La Mesa and the intervening unincorporated areas, as follows:

- (1) Extend the Route "7" bus line from 48th Street and University Avenue along University Avenue and La Mesa Boulevard to the business district of La Mesa, a distance of 5.2 miles. This is in lieu of the Route "E" service on University Avenue between Rolando Boulevard and La Mesa Boulevard.
- (2) Extend the Route "C" bus line from 54th Street and Streamview Drive easterly through the Hubner Building Co. development and Vista La Mesa to a connection with this applicant's bus service on University Avenue at Massachusetts Street, a distance of 2.7 miles.
- (3) Abandon Route "E" service on Rolando Boulevard between El Cajon Boulevard and University Avenue, a distance of .9 miles.

Further public hearings were held in San Diego on March 15 and 16, 1951, on Applications Nos. 31917 and 31981, at which time evidence was received on said applications and evidence was also received on Applications Nos. 32125, 32126, and 32174, and a study made by the Commission staff, with its recommendations, was received in evidence and on March 16, 1951, all of said five matters were duly submitted for decision.

(5) Decision No. 37737, dated March 20, 1945, on Application No. 26570, as said decision is amended especially by Decision No. 44860, dated Oct. 3, 1950, on Application No. 31725, Decision No. 43218, dated Aug. 16, 1949, on Application No. 30496, Decision 42649, dated March 29, 1949, on Application No. 29969, Decision No. 42518, dated February 15, 1949, on Application No. 29962, and Decision No. 38473, dated December 10, 1945, on Application No. 27040.

Before discussing, in detail, the various applications in the order of their filing, and in the light of the record, it appears desirable to refer to several current transportation trends affecting the interests of the public. In the past year, the Commission has found that a number of smaller carriers who, since the close of World War II have entered upon marginal operations, after a trial period, have been forced to abandon their operations with financial loss to themselves and inconvenience and disappointment to the traveling public.

Another recent trend which concerns the Commission has been the many recurring applications by motor carriers for increases in rates due to higher operating costs and a consistent decline in the traffic volume using public transportation. To further dilute the traffic revenue of established carriers by permitting an invasion into their service areas by new operators, would only further tend to accelerate their rate and service problems. This would not be in the public interest. The Commission should, therefore, be extremely cautious in permitting the establishment of service into comparatively remote and not fully developed regions which cannot support the operation.

Finally, it should appear manifest that the mere offer of a proposed new operation at slightly lower fares such as Economy promises, should not be conclusive upon the Commission, where such offer appears speculative and not thoroughly supported in the record, or where such operation can be successful only at the expense of traffic diversion from service areas of established carriers. With the above considerations in mind, we will now discuss the various applications.

Mountain Stage Line, Inc. Application No. 31917

The rerouting proposed by Mountain Line will provide one schedule per day in each direction to Fletcher Hills, Razonia, and La Mesa Colony. With the proposed improved reroutings of Valley which will be discussed later, this should meet the needs of said communities. No additional equipment will be required for the proposed change. The rerouting to be authorized will provide Mountain Line with badly needed additional revenue. A direct service between these newly served communities and the back country also will thus be provided.

The application was protested by Valley on the grounds that there would be a diversion of traffic from that company's service along Magnolia Avenue and in the Fletcher Hills district. The record shows, however, that the service proposed by Mountain Line is entirely different from that now operated by Valley, and if Mountain Line's service along the proposed new route is confined to through trips between San Diego and Julian, there should be little diversion of traffic from the present operation. To restrict the operation of Mountain Line through these areas would not be in the public interest and therefore no restriction will be imposed.

Mountain Line will be restricted from picking up or discharging local passengers along its route between the Greyhound Bus Terminal in San Diego and 70th Street. No passengers shall be picked up or discharged on the Alvarado Freeway and no service shall be permitted except on buses operated on through schedules between San Diego and Julian.

San Diego-Economy Line, Inc., Application No. 31981

The proposal of Economy will next be considered. By an analysis of the record, we find there is no justification for additional service in the territory west of Euclid Avenue and Federal Boulevard. As presently developed, the territory is adequately served by established schedules of Transit System and there is no justification for modifying the present restriction.

Beyond Euclid Avenue and Federal Boulevard, Economy proposes to parallel the route of Transit System "C" line along 54th Street to the development of the Hubner Building Company. Economy then proposes to proceed eastward beginning at 54th Street and Redwood along the southerly border of the Hubner development, proceeding easterly and northerly to University Avenue and 70th Street.

Most of the Hubner Building Company's presently occupied homes are within one-half mile of Transit System service along 54th Street. Since the Hubner development lies within the corporate limits of the city of San Diego and to the east of 54th Street, it seems logical that Transit System should serve the area. Streets have not been fully developed, and though Transit System's proposed extension eastward via Streamview to University Avenue appears somewhat premature, it will offer a superior service to this area since it follows more nearly the center of the newly launched developments.

It is also evident that the territory lying between University Avenue and Alvarado Freeway is now adequately served, inasmuch as the maximum walking distance to reach existing Transit System service on the El Cajon Boulevard "E" line or University Avenue extension of line "7" will be less than one-half mile.

North and east of the Alvarado Freeway, the proposed line could serve only the Rasonia, La Mesa Colony, and Fletcher Hills districts. There are some 180 homes in the Rasonia and La Mesa Colony districts which are more than one-half mile from existing transportation. The Fletcher Hills district contains probably as many as 600 homes, with a few others being constructed.

Transit System protested this application on the grounds that the proposed line would be an invasion of its service area and that if a certificate is granted, a restriction should be imposed between the San Diego terminal and the intersection of 70th Street and the Alvarado Freeway. This protest appears to be justified, inasmuch as the proposed service would parallel that of Transit System along 54th Street and cross lines of that company at 70th Street and University Avenue and 70th Street and El Cajon Boulevard. Furthermore, most of the development in the area is now within one-half mile of existing Transit System's routes. Failure to restrict this applicant's proposed service would result in dilution of revenues on lines of the existing carrier.

The portion of the application dealing with the proposed new service to Fletcher Hills will be denied on the basis that an unrestricted operation would invade the service area of San Diego Transit and that there is no evidence to show that a restricted operation could be economically justified. Furthermore, a more frequent service south and west of University Avenue is offered by Transit System, with the added feature that free transfers will be issued to other lines of this carrier. The services proposed by Valley and Mountain Line will amply serve the Fletcher Hills area, and through a joint-fare arrangement between Valley and Transit.

System, a free transfer to a total of 27 lines of Transit System will also be available to passengers originating in the Fletcher Hills district.

Economy's proposal must likewise be considered in view of the obvious injury it would inflict upon the present operation of Valley as it presently connects with Transit System's line in El Cajon for transportation to San Diego. In response to this proposal, it must be kept in mind that Valley is offering an improved service by connecting, at Grossmont, with Transit System's service into San Diego.

Applicant's request to relocate its service between the intersection of 32nd and Market Streets and the traffic interchange connection between the proposed Wabash Freeway and Federal Boulevard along the realignment of California State Highway 94 (Federal Boulevard) appears to be in the public interest and will be granted.

The reason advanced by Economy for its request for unrestricted rights is its claim that the certificate of public convenience and necessity granted to Transit System, authorizing the extension of its "C" line from 47th Street along Federal Boulevard, Euclid Avenue, and 54th Street, is void because it was granted without a hearing and without a copy of the application therefor first having been served on "all common carriers with which the proposed service is likely to compete". This claim that the certificate of public convenience and necessity was void must be rejected.

The extension of Transit System's Route "C" from 47th Street along Federal Boulevard, Euclid Avenue, and 54th Street to Redwood Street, was granted by the Commission without public hearing. Decision No. 43218, dated August 16, 1949, on Application No. 30496,

which authorized this extension, contained the statement that it "is not competitive with any other bus operation". This statement appears to have been correct. Euclid Avenue is within the city limits of San Diego, and was within one-half mile of Transit System's service; consequently, Economy was restricted against picking up or discharging local passengers whose origin and destination were within the city of San Diego. This included Euclid Avenue and points west thereof. According to the undisputed testimony, there was only one residence that could be considered competitive and it was located on Euclid Avenue, approximately 200 feet north of Federal Boulevard in Transit System's service area. It is worthy of consideration that Economy does not assert that even, in its opinion, if a hearing had been held and it had been notified thereof, it would have been in a position to present any grounds sufficient to require a denial of Application No. 30496, whereby Transit System sought this extension of its Route "C". Likewise, Economy fails to allege that it did not have actual knowledge of the filing of said Application No. 30496 in ample time to file a protest before said application was granted. It seems reasonable to assume that Economy had actual notice of Application No. 30496 as soon as Transit System commenced operations under Decision No. 43218 in September, 1949. In spite of such knowledge, however, Economy has acquiesced in Transit System's operation over this extension for approximately one and a half years without complaint asking that Decision No. 43218 be reopened so that it could advance any objection it might have possessed. Public Utilities Act, Section 502, expressly authorizes the Commission to grant certificates of public convenience and necessity without public hearing.

Under the circumstances it is unnecessary to pass upon the contention of Economy that Transit System failed to comply with the Rules of Procedure of the Commission which require an applicant for a certificate of public convenience and necessity to name in its application all common carriers with which the proposed service is likely to compete and to serve a copy of such application upon each such carrier named. It must be assumed in the absence of contrary proof that the Commission properly decided, in said Decision No. 30496, that there was no competing service.

Any certificate of public convenience and necessity which could be granted Economy must, as previously indicated, be restricted to prevent the carrying of passengers whose origin and destination were at a point south or east of the intersection of 70th Street and Alvarado Freeway. The president of Economy testified that, with such a restriction, the proposed operation could not be made economically feasible. Public witnesses residing in the Fletcher Hills, Rasonia, and La Mesa Colony, testified that the proposed service was needed. The founder of the Fletcher Hills community appeared on the final day of the hearing and urged that some service into San Diego be afforded the residents of that district. In stressing the area's need, this witness concluded by a request that the best service which the Commission considered justified should be authorized. Testimony of some witnesses was to the effect that they felt that all restrictions should be lifted so that revenue could be derived from Transit System's territory in sufficient amount to support

the entire operation. This evidence cannot be given determinative weight. No members of the public residing along the lines of Transit System appeared and offered testimony expressing any preference for Economy's method of operation, or stated that the service of Transit System was in any respect inadequate.

Economy's tariff agent attempted to demonstrate that it was offering lower rates than proposed by Transit System. However, in the crucial area between University Avenue and Alvarado Freeway, where Economy proposes a 25-cent one-way fare, the present Transit System fare is 23 cents, or two cents less than that proposed. In addition, this fare includes free transfer privileges to other lines of Transit System. Under the proposed joint fare of Transit System and Valley, these passengers will also receive this transfer privilege. While this tariff agent refused to admit that such privilege is beneficial to passengers, its advantages are obvious. Its value is demonstrated by the undisputed testimony of Transit System's superintendent of traffic that 20 per cent of its passengers make use of transfer privileges over the company's twenty-seven different lines.

The estimate of potential revenues of the proposed service, submitted by Economy (Exhibit No. 2), contains two major defects. In the first place, it is based upon the assumption that operating rights will be granted this applicant without any restrictions. With the restrictions which must be imposed in the service area of Transit System considered, the daily estimate of revenue, using applicant's own figures, would be reduced from \$79.60 to \$26.65. Again using Economy's tariff agent's figures, with the above reduced service area, the operation would produce revenue of only 12½ cents per mile as against a cost of 15 cents.

The second defect is that the over-optimistic anticipated traffic is assumed to flow in equal numbers throughout the day as the bus schedules move so that one bus of 27-passenger capacity could carry 29 passengers each trip, with two standees, so that additional equipment and personnel would not be required to meet peak periods. On cross-examination, the tariff agent suggested that additional equipment would be furnished to meet the requirements of peak periods.

That employment of the weekly pass, the round-trip ticket, and the children's fare, would still further reduce revenue, was admitted by Economy's tariff agent. The only logical conclusion that can reasonably be reached is that the service proposed by Economy is not sound from a financial standpoint, and consequently should not be authorized.

El Cajon Valley Line, Application No. 32125

By Application No. 32125, as amended, Valley seeks authority to establish a new service between the Suncrest and La Cresta districts and San Diego over the following route:

From Suncrest via La Cresta, Road RS 435, U. S. Highway 80, Main Street (El Cajon), Cuyamaca Street, Broadway (Fletcher Hills), Lake Murray Boulevard, Alvarado Freeway, Camino Del Rio, Pacific Highway 101, Broadway, and Harbor Drive to Market Street.

Testimony was offered that a number of persons in the Suncrest and La Cresta districts have indicated that they will use this service and that the revenue will at least meet out-of-pocket expenses. There were a number of public witnesses supporting this application, and there was no protest.

Valley already operates a service along Main Street through El Cajon and is restricted against the carrying of local passengers between A Street and Johnson Avenue. Transit System has requested that the proposed Valley service be likewise restricted, and that it also be restricted to the extent that no passengers be picked up or discharged on Main Street between A Street and Johnson Avenue, whose origin or destination is San Diego. This applicant testified that he would be willing to accept such a restriction. A third restriction against handling local passengers whose origin and destination are both west of the intersection of 70th Street and Alvarado Freeway will also be imposed.

The witness for the Commission's staff testified that it might be desirable to consider service on an on-call basis. He

stated that the operator would be better protected against financial loss and at the same time such an arrangement would stimulate use of the service. This witness further testified that, in his opinion, an average of approximately 20 passengers a trip should meet operating expenses. Applicant testified that a certificate on an on-call basis would be acceptable.

Applicant will be granted a certificate to operate an on-call service and will be restricted through El Cajon. Applicant will be expected to operate this service without interruption as long as the daily level of traffic maintains itself at approximately 20 passengers per trip. Before service may be suspended, sufficient notice shall be given the Commission and the public.

El Cajon Valley Line, Application No. 32126

By Application No. 32126, as amended, Valley seeks authority to reroute and extend its El Cajon-Fletcher Hills service as follows:

From the intersection of Main Street and Cuyamaca Street, northerly along Cuyamaca Street, thence via Broadway Street, Garfield Avenue, Chatham Street, Highland Street, Blackthorne Street, and Murray Avenue to its intersection with El Cajon Boulevard.

Applicant is presently certificated to operate as follows:

From the intersection of Main Street and Cuyamaca Street, southerly along Cuyamaca Street, thence Murray Avenue, Primrose Drive, Blackthorne Avenue, Highland Street, and Tyrone Street.

Under the proposal, service along Cuyamaca Street, Murray Avenue, and Primrose Drive between Main Street and Blackthorne Avenue, and also along Tyrone Street between both of its intersections with Highland Street, would be discontinued. Testimony was offered to show that the revised operation would better serve the

Fletcher Hills district between Fletcher Hills and El Cajon, and would also provide a direct connecting service between Fletcher Hills and Transit System's service at Grossmont High School on El Cajon Boulevard. Valley and Transit System have agreed upon a joint fare of 35 cents one way between Fletcher Hills and San Diego, with a free transfer arrangement with other lines of Transit System. The new service will be within reasonable walking distance of the present route, and no protest was made to the discontinuance.

There is sufficient evidence to indicate the need for a more direct and convenient service between Fletcher Hills and San Diego, and it appears that the services proposed by this applicant, together with that offered by Mountain Line, will adequately serve the territory. In establishing this new service, applicant will be expected to design its schedules so as to best serve the public needs in the area. The schedules should provide trips sufficiently early and late, at least for a reasonable trial period, to accommodate persons working in San Diego.

San Diego Transit System, Application No. 32174

By Application No. 32174, Transit System seeks authority to make the following service changes:

Line 7

Extend this line from 48th Street and University Avenue, along University Avenue and La Mesa Boulevard to Palm Avenue in La Mesa.

Line "C"

Extend this line from 54th Street and Streamview Drive, along Streamview Drive, College Avenue, Radio Road, Vista Grande Drive, Hoffman Avenue, and Massachusetts Avenue to University Avenue.

Line "E"

Discontinue the operation of this line along University Avenue and Rolando Boulevard and operate all service on Line "E" along El Cajon Boulevard.

The record shows that the extension of line 7 will provide service along University Avenue between 54th Street and Rolando Boulevard, where no public transportation now exists, and will offer to the general area another through and direct route along University Avenue between La Mesa and San Diego.

Evidence was offered to show that the extension of line "C" will adequately serve the Hubner tracts and other recently developed areas along the proposed route.

The record shows that the changes in line "E" will improve service along El Cajon Boulevard. Although a few persons along Rolando Boulevard will be inconvenienced by having to walk approximately one-half mile to transportation along El Cajon Boulevard or University Avenue, the area as a whole will be better served.

This applicant's proposals appear to be in the public interest and will be granted.

O R D E R

Public hearings having been held in the above-entitled proceedings, the matters having been duly submitted, and the Commission finding that public convenience and necessity so require,

IT IS ORDERED:

(1) That Mountain Stage Lines' first route description in subparagraph (c) of paragraph (2) of the order in said Decision No. 44212, as previously amended by said Decision No. 44297, be, and the same hereby is, further amended to read as follows:

From the Greyhound Terminal at First and Broadway, San Diego, along Broadway, Pacific Highway (U. S. Highway 101), Camino Del Rio, Alvarado Freeway, Lake Murray Boulevard, Broadway, and Magnolia Avenue to Santee, thence via State Highways through Lakeside, Foster, Fernbrook, Ramona, Ballena, Witch Creek, Santa Isabella, and Wynola to Julian.

(2) That the certificate of public convenience and necessity granted by said Decision No. 44212, as amended, shall be subject to the additional condition and restriction that no passengers shall be picked up or discharged between the Greyhound Bus Terminal in San Diego and Santee by any vehicle not on a through trip moving all the way between San Diego and Julian, and that no local passengers shall be picked up or discharged east of 70th Street.

(3) That, in all other respects, said Decision No. 44212, as herein and heretofore amended, shall remain in full force and effect.

(4) Within sixty (60) days after the effective date hereof, and on not less than five (5) days' notice to the Commission and the public, applicant shall establish the service herein authorized and shall comply with the provisions of General Order No. 79 and Part 19 of General Order No. 98, by filing, in triplicate, and concurrently making effective appropriate tariffs and time tables.

(5) That San Diego Economy Line's first route description in subparagraph (c) of the second ordering paragraph of Decision No. 40900, dated November 12, 1947, on Application No. 28151, be, and the same hereby is, amended to read as follows:

Beginning at the intersection of First Avenue and Broadway in San Diego, thence along First Avenue, Market Street, and California State Highway No. 94, to its terminus in Campo, California.

(6) That, in all other respects, said Decision No. 40900 shall remain in full force and effect.

(7) That, except as provided in ordering paragraph (5) above, Application No. 31981 be, and the same hereby is, denied.

(8) That a certificate of public convenience and necessity be, and it hereby is, granted to Peter F. Lapp, doing business as El Cajon Valley Line, authorizing the establishment and operation of a service as a "passenger stage corporation" as that term is defined in Section 2½ of the Public Utilities Act, for the transportation of persons and their baggage, as follows: (a) between the intersection of Main Street and Magnolia Avenue in the city of El Cajon, on the one hand, and on the other hand, the intersection of Murray Avenue and El Cajon Boulevard in the vicinity of Grossmont High School, serving all intermediate points; (b) between Suncrest, on the one hand, and on the other hand, the city of San Diego, serving all intermediate points except in the hereinafter described restricted areas, as an extension and enlargement of, and to be consolidated with, applicant's existing operative rights in said territory, subject to the following conditions and restrictions:

- (a) The service between Suncrest and the city of San Diego shall be operated as an "on call" service and shall be made only upon demand and the purchase, during the preceding week, of an average of a minimum of twenty tickets per day entitling the holders to round-trip transportation. Service may be commenced or be reinstated upon demand and the prior purchase of the above stated minimum of tickets per day until such a preceding weekly average has accrued.
- (b) No local passengers shall be picked up or discharged west of the intersection of Alvarado Freeway and 70th Street.
- (c) No passengers shall be transported whose origin and destination are along Main Street between A Street and Johnson Avenue.

- (d) No passengers shall be picked up or discharged on Main Street, between A Street and Johnson Avenue, whose origin or destination is San Diego.

(9) That, in providing service pursuant to the certificate herein granted, El Cajon Valley Line shall comply with and observe 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 on 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 19 of General Order No. 98, by filing, in triplicate, and concurrently making effective, appropriate tariffs and time tables.
- (c) Subject to the authority of this Commission to change or modify the service or routes by further order, applicant shall conduct operations pursuant to the certificate herein granted, over and along the following routes:
 1. Between Suncrest and San Diego via La Cresta, Road RS 435, U. S. Highway 80, Main Street (El Cajon), Cuyamaca Street, Broadway, Lake Murray Boulevard, Alvarado Freeway, Camino Del Rio, Pacific Highway 101, Broadway, and Harbor Drive to Market Street.
 2. Between said intersection of Murray Avenue and El Cajon Boulevard and the city of El Cajon via Murray Avenue, Blackthorne Avenue, Highland Street, Chatham Street, Garfield Avenue, Broadway, Cuyamaca Street, and Main Street, to Magnolia Avenue.

Applicant is authorized to turn his 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.

(10) That El Cajon Valley Line's first route description in subparagraph (c) of the second ordering paragraph of the certificate of public convenience and necessity granted by Decision No. 41433, dated April 6, 1948, on Application No. 29110, is hereby revoked

and rescinded and said decision shall, in all other respects, remain in full force and effect.

(11) That a certificate of public convenience and necessity be, and the same hereby is, granted to San Diego Transit System authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 24 of the Public Utilities Act, for the transportation of passengers in and adjacent to the city of San Diego (a) between the intersection of 48th Street and University Avenue, on the one hand, and on the other hand, the intersection of Rolando Boulevard and University Avenue and intermediate points, to be consolidated with and as an extension and enlargement of applicant's Route "7"; (b) between the intersection of 54th Street and Streamview Drive, on the one hand, and on the other hand, the intersection of University Avenue and Massachusetts Street and intermediate points, to be consolidated with and as an extension and enlargement of applicant's Route "C".

(12) That, in providing service pursuant to the certificate herein granted, applicant shall comply with and observe 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 on 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 19 of General Order No. 98, by filing, in triplicate, and concurrently making effective, appropriate tariffs and time tables.
- (c) Subject to the authority of this Commission to change or modify the service or routes by further order, applicant shall conduct operations pursuant to the certificate herein granted over and along the following routes:

1. From Euclid Avenue along University Avenue and La Mesa Boulevard to Palm Avenue in the city of La Mesa.
2. From 54th Street along Streamview Drive, College Avenue, Radio Road, Vista Grande Drive, Hoffman Avenue, and Massachusetts Avenue to University 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 intersection, or in accordance with local traffic rules.

(13) That San Diego Transit System be, and it hereby is, authorized to abandon and discontinue its passenger stage service over Rolando Boulevard between University Avenue and El Cajon Boulevard and intermediate points.

(14) That said applicant be, and it hereby is, authorized to cancel all fares, rules, regulations, and schedules applying to said service over Rolando Boulevard between said points.

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

Dated at San Francisco California, this 17th day of April, 1951.

R. T. [Signature]
Justus F. Casper
Harold Hulse
[Signature]
[Signature]
COMMISSIONERS