

ORIGINAL

Decision No. 46188

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 ROBERT J. EDWARDS, doing business as)
 ECONOMY TRANSIT COMPANY OF NORTHERN)
 CALIFORNIA, for a certificate of public)
 convenience and necessity for the trans-)
 portation of passengers and their hand) Application No. 32115
 baggage by motor coach between Moffett)
 Field, California, on the one hand, and)
 Mountain View, Sunnyvale, Santa Clara,)
 San Jose and intermediate points, on)
 the other.)

- Robert J. Edwards, for applicant.
- Douglas Brookman, for Pacific Greyhound Lines,
protestant.
- Robert E. Cassen, City Attorney, for City of San
Jose, interested party.
- Robert W. Mallory, for San Jose City Lines,
protestant.
- Lt. D. M. Green and A. De Bevoise, for U. S. Navy,
Moffett Field, interested party.

O P I N I O N

Applicant, Robert J. Edwards, doing business as Economy Transit Company of Northern California, seeks authority to operate a passenger stage service for the transportation of passengers and their baggage between Moffett Field, on the one hand, and Mountain View, Sunnyvale, Santa Clara and San Jose and intermediate points, on the other hand, subject to the restriction that no passengers will be picked up having both point of origin and destination located on or south of U. S. Highway 101 alternate.

Public hearings were held before Examiner Daly on April 4, 1951, at San Jose, June 4, 1951, at San Francisco and August 2, 1951, at San Francisco. The matter was submitted on the latter date subject to receipt of a late filed exhibit, which has been received.

The granting of the authority sought was protested by Pacific Greyhound Lines and San Jose City Lines. The city attorney for the City of San Jose stated that the city would have no protest in the matter provided that applicant acquired an off street loading and unloading point. Representatives of the U. S. Naval Base, Moffett Field, stated that they appeared only in the interest of service between the proposed points regardless of who rendered it. They desired the record to show that they were not appearing on behalf of any particular service or individual.

Applicant proposes to operate 14 schedules a day. The proposed fares would be as follows:

	<u>One Way</u>	<u>20 Ride Book</u>
Between Moffett Field and:		
Mountain View	\$ 0.15	--
Sunnyvale	.20	--
Santa Clara	.30	\$ 5.00
San Jose	.35	6.00

Applicant testified that he is a co-partner with his mother, Anna H. Edwards, in the operation of the Economy Transit Co., which is presently authorized to operate a passenger stage service within El Centro. The certificate here sought, however, is in applicant's name. To operate the proposed service applicant asserted that he owns a yellow coach, which is not being used and is presently stored at Los Angeles. In August of 1950 he stated that he purchased a 1942 Ford passenger coach, upon which he owes \$101.36. He further testified that a 1950 Chevrolet passenger coach, upon which \$3,000 is still owing, would be taken from the El Centro operation. According to the witness he has ordered two 1951 Aero-coaches, the purchase of which is contingent upon the disposition of this matter. These, he stated, would cost approximately \$3,000 or \$5,000 apiece.

The representatives of the United States Naval Base at Moffett Field testified that current world conditions have resulted in ever increasing activities within the base. They testified that additional naval and civilian personnel will require public transportation. An enlisted man stationed at the base testified that he has particular difficulty at night obtaining transportation from San Jose to the field. It was stipulated that two other enlisted men, present at the hearing, would testify substantially the same, if called as witnesses. Another witness testified that she lives in Santa Clara and has to travel to Moffett Field for medical attention. She asserted that she now is required to travel to San Jose and take the Pacific Greyhound Bus, which takes her to a point on U. S. Highway 101 alternate one quarter of a mile from the field proper.

Applicant's financial statement was as follows:

ASSETS

Cash on hand and in bank	\$ 4,008.18	
Bus equipment	30,800.00	
Office equipment and supplies	<u>550.00</u>	
Total Assets		\$ 35,358.18

LIABILITIES

Balance due on equipment	\$ 7,700.00	
Net worth	<u>27,658.18</u>	
Total Liabilities		\$ 35,358.18

Upon request, applicant agreed to furnish a more detailed financial statement, upon which he was to be cross examined on June 4, 1951, at San Francisco. Applicant failed to supply the amended financial statement as of the date agreed. As a result, and upon applicant's promise that such information would be furnished the Commission subsequent thereto, the matter was adjourned to August 2, 1951, at San Francisco. Prior to the August date

applicant filed his amended financial statement, which proved to be substantially the same as that first filed. On July 24, 1951, the Commission informed applicant by letter that additional detailed information would be required on or before the August 2, 1951, date. On August 2, 1951, applicant not only failed to furnish the requested information, but failed to appear at the hearing.

According to the Regional Director for Pacific Greyhound Lines, negotiations were conducted between that carrier and representatives of the United States Naval Base, Moffett Field, wherein it was agreed that Pacific Greyhound Lines would institute trial service to the field proper. Copies of letters outlining the negotiations agreed upon were received in evidence. On July 8, 1951, the trial service between Moffett Field, Mountain View, Sunnyvale, Santa Clara and San Jose was commenced. This proceeding was submitted on August 2, 1951, subject to the filing of Exhibit No. 9, which reflected the results of the trial service.

Exhibit No. 9 has been duly received and indicates the following information: Service was provided from July 18, 1951, to August 15, 1951. Four round trip schedules were operated daily, commencing at 7:45 a.m. and ending at 12:50 a.m. the following morning. The total number of passengers carried on all schedules for the period indicated amounted to 208. Seventy-nine schedules were operated without any passengers; 49 schedules with but one passenger, and only two schedules throughout the whole period carried as many as 14 passengers.

The record indicates that applicant not only failed to establish his financial ability but it further indicates that there is no public need for the service as proposed.

After full consideration of the evidence of record, the Commission is of the opinion, and so finds, that public convenience and necessity do not require the granting of the authority sought.

O R D E R

An application having been filed, a public hearing having been held thereon, and the record having failed to establish that public convenience and necessity require the proposed service,

IT IS ORDERED that Application No. 32115 be and it is hereby denied.

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

Dated at Los Angeles, California, this 18th day of September, 1951.

R. T. Davidson
 President
Justice D. Calver
Harold P. Aule
John E. Mitchell

 Commissioners