

ORIGINAL

Decision No. 48718

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
FRESNO CITY LINES, INC., a corporation,)	
for amendment of existing certificate)	Application No. 34135
of public convenience and necessity to)	
provide service in the new Fresno State)	
College district.)	

Dearing, Jertberg and Avery, by Kenneth G. Avery,
 for applicant.
 Crossland & Crossland, by Robert S. Crossland,
 for protestant.

O P I N I O N

In the above entitled application filed March 6, 1953, Fresno City Lines, Inc. requests a certificate of public convenience and necessity authorizing an extension of its passenger stage service between the Fresno State College within the City of Fresno and the new site of that college in the area northeasterly of the City of Fresno in the vicinity of the intersection of Shaw and Cedar Avenues. A public hearing thereon was held before Commissioner Potter and Examiner Paul at Fresno on April 6, 1953 and the matter was submitted.

A detailed plan of the proposed operation was presented in the testimony of applicant's manager. It shows that applicant desires to establish a large loop route operation over a route beginning at the present site of the Fresno State College at the intersection of University and Del Mar Avenues, as more particularly
 (1)
 set forth in the margin.

(1) The proposed route would begin at the intersection of University and Del Mar Avenues, thence along Del Mar Avenue, Weldon Avenue, Blackstone Avenue, Shields Avenue, North Fresno Street, Ashlan Avenue, North First Street, Shaw Avenue, Winery Avenue, Shields Avenue, Sierra Vista Avenue, Clinton Avenue, Blackstone Avenue, Weldon Avenue, San Pablo Avenue, University Avenue to Del Mar Avenue, the point of route origin.

The witness stated that in the beginning two daily round trips would be made, one each in the morning and afternoon peaks. The first outbound trip and the last inbound trip would be scheduled from and to the main downtown transfer point at Fresno and Fulton Streets. This would provide a direct service between points on the proposed college loop route and the heart of the downtown area as well as between the two college campuses. Transfers between the proposed route of operations and applicant's No. 5 and No. 6 routes would be made at appropriate intersections thereby providing access to transportation between points on the proposed route and all other points served by applicant in the Fresno metropolitan area. Initially service over the proposed route would be operated in one direction. However, according to the witness if and when public need is indicated therefor alternate trips would be operated in reverse directions. The length of the proposed route is 12.4 miles but the equipment providing the service would be operated about 13 miles.

Applicant's present fares are established upon a zone basis. All of applicant's operations in the metropolitan area of the City of Fresno except those north of the intersection of Van Ness Avenue and Shields Avenue on the Pinedale route are in Zone 1, the basic fare being 11 cents. The two ends of the proposed route southerly of the intersection of North First Street and Ashlan Avenue and southerly of the intersection of Shields and Sierra Vista Avenues would be in Zone 1. That portion of the proposed route northerly of those intersections would be in Zone 2. Passengers riding in only one of either of these zones would pay the single zone fare and when riding from one zone to the other would pay the second zone fare of 5 cents. Universal transfers would be issued.

According to the testimony of the witness the out-of-pocket cost of operating the single bus as proposed would be 23.5 cents a mile. Based upon 52 miles of daily initial operations the cost would approximate \$12 a day. In the opinion of the witness there would be sufficient riding upon the inauguration of the proposed service to produce revenue equal to the out-of-pocket costs.

Twelve public witnesses testified in support of the application. Five of these represented the Fresno State College. Three witnesses testified with respect to the residential development in the general area applicant proposes to serve. Three witnesses described their personal needs and the use they would make of applicant's proposed service.

The evidence shows that the Fresno State College is developing a new campus northeasterly of the City of Fresno, near the intersection of Shaw and Cedar Avenues. Fourteen buildings are now under construction. A total of approximately 56 buildings are planned. The period of construction is expected to extend through the year 1960. About 100 workmen are engaged in this work. Presently only one class is being conducted at the new site. More classes will be established in September of this year. While the number of such classes is not certain the evidence indicates that arrangements will then accommodate about 200 students and 15 college personnel. Many of these persons will have a need for public transportation, some between their homes and the new campus and others between the two campuses.

There was testimony which shows that there are rather extensive residential developments in certain areas along applicant's proposed extended route of operations. The principal one is known as Manchester Park situated north of Shields Avenue near

its intersection with Fresno Avenue. The witness stated that in Manchester Park about 135 new houses are presently occupied although it is expected that by fall this figure will be increased to approximately 350. A business center and multiple dwelling units are being planned. This and a few other residential areas are located on that part of applicant's proposed route extension between the present and the new state college campuses.

In regard to the proposed route beyond the new college site along Shaw, Winery, Shields, Sierra Vista and Clinton Avenues the evidence was directed to the residential areas. It showed a rather sparse residential development except for a distance of about one half mile along Shaw Avenue between Cedar and Maple Avenues opposite the new campus site. One witness residing on Winery Avenue, which for the most part is very sparsely settled, stated that he and members of his family are required to walk about three fourths of a mile to reach public transportation. The record shows that the region along Shields, Sierra Vista and Clinton Avenues from Winery Avenue to 1st Street is solidly occupied and is accessible to public transportation as hereinafter discussed.

The only protest to the application was that of D. Moyers doing business as Moyers Stages who testified as to the service and operations conducted by him in the area involved in this application. He testified that he conducts passenger stage operations between Fresno and Clovis and intermediate points subject to a local restriction within the City of Fresno. Relative to the proposed route of Fresno City Lines, Moyers operates over Fresno Avenue to and along Shields Avenue to Clovis Avenue. A diversion from Shields Avenue is made over Cedar Avenue north to Shaw Avenue thence along Shaw Avenue to Clovis Avenue.

These routes are coincident with applicant's proposed routes along Shields Avenue between Sierra Vista and Winery Avenues for a distance of about one-half mile and also along Shaw Avenue between Cedar and Winery Avenues for a distance of about $1\frac{1}{2}$ miles. Shields and Shaw Avenues are parallel to each other at a distance of about two miles.

The witness stated that he presently provides one daily round trip schedule between Fresno and Clovis over Cedar and Shaw Avenues; that all points along this route north of the intersection of Fresno and Clinton Avenues including the new college campus site are accorded full service by him and that on 72 operating days during the period between November 14, 1952 and February 9, 1953 he conducted four daily round trip schedules over that route, served 209 passengers in the area involved and received a revenue of \$49.05 therefrom. The respective daily averages were 2.9 passengers and 68 cents revenue. (Exhibit No. 2)

Protestant also testified that a 28 day survey made between March 7 and April 3, 1953, inclusive, on eight inbound and seven outbound schedules serving the area along Shields Avenue between Cedar and Sierra Vista Avenues and between Sierra Vista and Winery Avenues showed the following results (Exhibit No. 3);

	<u>Passengers</u>	<u>Daily Average</u>	<u>Revenue</u>	<u>Daily Average</u>
Cedar-Sierra Vista Aves.	371	13.25	\$ 71.92	\$ 2.568
Sierra Vista-Winery Aves.	130	4.64	30.62	1.093
Total	501	17.89	\$102.54	\$ 3.661

Protestant expressed the opinion that certification of applicant as requested would deprive him of revenues needed to justify continued operations over the foregoing routes.

The evidence shows that the most heavily populated portion of applicant's proposed route extension is along Shields, Sierra

Vista and Clinton Avenues. Applicant's manager stated that he expected to receive about 60 per cent of initial revenues from that area. The record shows that protestant Moyers now provides 7 outbound and 8 inbound schedules over Shields Avenue which parallels Clinton Avenue about one half mile north thereof. The record also shows that applicant presently operates its No. 6 East Fresno line along Clinton Avenue between Effic Street and North 1st Street the terminal loop of which traverses Effic Street, Michigan Street, Orchard Street, Cornell Avenue and North 1st Street. The north end of this loop is within about three city blocks of Shields Avenue for a distance of about 7 city blocks. In fact operation over this loop of Route No. 6 provides the facility for applicant to serve more than one third of the area along Clinton Avenue over which additional authority is sought. Furthermore, the north side of the terminal loop of applicant's No. 9 Mayfair Route operates along Weldon Drive between North 1st Street and Cedar Avenue a distance of about one mile and likewise parallel to Clinton Avenue and distant therefrom about one fourth mile and less in part. There was no public witness testimony in regard to service needs along Clinton Avenue. Only one witness expressed a need for service along Winery Avenue which according to the record is sparsely settled.

Reviewing the evidence of record in this matter we find a public need for passenger stage service between Fresno and the new site of Fresno State College and intermediate points over the route proposed by applicant was shown to exist. We further find that public convenience and necessity has not been shown to require the proposed operation of applicant to, from or between points on the proposed route beyond the new site of Fresno State College

along Shaw Avenue, Winery Avenue, Shields Avenue, Sierra Vista Avenue and Clinton Avenue. An order in consonance with the foregoing findings will be issued.

O R D E R

The above entitled matter having been duly heard and submitted and based upon the findings as set forth in the foregoing opinion,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Fresno City Lines, Inc. authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, for the transportation of passengers between Fresno and the Fresno State College Campus at the intersection of Cedar Avenue and Shaw Avenue and intermediate points.

(2) That the certificate granted in paragraph (1) of this order is hereby consolidated with the certificate of public convenience and necessity heretofore granted by Decision No. 42882 in Application No. 30214.

(3) That in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

- a. Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted.
- b. Within sixty days after the effective date hereof, and on not less than five days' notice to the Commission and the public, applicant shall establish the service herein authorized and file in triplicate, and concurrently make effective, tariffs and time schedules satisfactory to the Commission.

- c. Subject to the authority of this Commission to change or modify it by further order, applicant shall conduct operations pursuant to the certificate herein granted over and along the following route:

Route No. 10

Beginning at the intersection of University Avenue and Del Mar Avenue (Fresno), thence along Del Mar Avenue, Weldon Avenue, Blackstone Avenue, Shields Avenue, Fresno Avenue, Ashlan Avenue, First Avenue and Shaw Avenue to the Shaw Avenue entrance to the new campus of the Fresno State College.

(4) That in all other respects Application No. 34135 is hereby denied.

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

Dated at San Francisco, California, this 16th day of June, 1953.

P. J. [Signature]
 President
Justin F. [Signature]
Harold P. [Signature]

 Commissioners

Commissioner Kenneth Potter, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.