

ORIGINAL

Decision No. 48928

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
C. J. BLACK, doing business as)	
Huntington Beach-Santa Ana Bus Line)	Application No. 34294
for a certificate of public convenience)	
and necessity to operate an extended)	
route between Santa Ana and Orange.)	

Forgy, Reinhaus, Miller & Kogler, by Fred Forgy,
 for applicant. C. W. Cornell and E. D. Yeomans by
Walter A. Steiger for Pacific Electric Railway Company,
 protestant. George M. Weimer, City Administrator for
 City of Orange, Elwood Case for Chamber of Commerce of
 Orange, and Max Shales for El Rancho Shopping Center
 Business Association, interested parties.

O P I N I O N

Applicant is now operating a passenger stage service between Huntington Beach and Santa Ana via, generally, Huntington Beach Boulevard, Bolsa Avenue and First Street. The present operation prohibits the transportation of passengers having both origin and destination between the intersection of Huntington Beach Boulevard and Bolsa Avenue and applicant's terminal in the City of Santa Ana, both points inclusive. The Santa Ana terminal is located at Third and Spurgeon Streets (Decisions Nos. 42964 and 44990).

By this application authority is sought to extend the service from Santa Ana to the City of Orange and easterly along Chapman Avenue to its intersection with Tustin Avenue. The proposed route between said cities is via Fourth Street, Grand Avenue and Glassoll Street, a continuation of Grand Avenue north of Santa Clara Avenue, and Chapman Avenue.

The application was opposed by the Pacific Electric Railway Company which now operates numerous schedules between Santa Ana and Orange over a different route. The proposed service is not

otherwise competitive with that of any other carrier. A local Santa Ana city carrier operates along Santiago Avenue between Seventeenth Street and Edgewood Road but this route is more than one-half mile west from the Grand Avenue portion of applicant's route and the said city carrier has waived protest in writing.

A public hearing was held in Santa Ana on July 7, 1953, before Examiner Chiesa and evidence, oral and documentary, having been adduced, the matter was submitted for decision.

The evidence shows clearly that the proposed extension is in the public interest. Along the proposed route east and northeast of downtown Santa Ana, along Fourth Street and Grand Avenue as far as Fruit Street, the area that would be served is well developed with business establishments or residences. Similar conditions exist along Glassell Street north of Fairhaven Avenue, and along Chapman Avenue as far east as Tustin Avenue. The portion of the route between Fruit Street and Fairhaven is sparsely developed at this time but some new small subdivisions have been completed here too. There is no public transportation east of the City of Santa Ana nor east of the City of Orange and upon the entire evidence presented in this matter we are of the opinion and find that a public need exists for the proposed service.

The present fares between Santa Ana and Huntington Beach will remain in effect. An additional overlap fare zone is proposed between Santa Ana and the intersection of Chapman Avenue and Tustin Avenue in the City of Orange. A 15-cent intercity fare is proposed with a local fare of 10 cents applying in each of the two communities.

By rearranging the present schedules and eliminating layovers, the same number of trips would be operated between Santa Ana and Huntington Beach; with five or six trips operated

through to Orange. The proposed schedule calls for the first trip to leave Tustin Avenue at 6:15 a.m. and the last trip to leave Tustin Avenue at 4:55 p.m. It is proposed to operate the new service to meet the public convenience.

A 1953 25-passenger Chevrolet motor coach is now being used and no additional equipment would be needed to extend service into Orange. Applicant has an arrangement with Laguna Beach-Santa Ana Stage Line to use its equipment in case of emergency.

Protestant Pacific Electric Railway Company offered evidence showing that its present service between the cities of Santa Ana and Orange consist of a total of 29 schedules daily in each direction. The fare is 15 cents, the same as proposed by applicant. The evidence shows that this carrier is rendering an adequate and satisfactory service between said cities. Although applicant's route would not be competitive as to points intermediate of the said cities, we find upon the record that applicant has not justified his proposal to transport passengers between the downtown areas of the two cities. We also find that public convenience and necessity requires the service as proposed, subject, however, to a restriction against the transportation of intercity passengers as hereinbelow set forth.

The application will be granted in part as authorized in the following order.

O R D E R

A public hearing having been hold in the above-entitled proceeding, evidence having been adduced and considered, the Commission being fully advised in the premises and having found that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be, and it hereby is, granted to C. J. Black, an individual, authorizing the establishment and operation of a passenger stage service, as defined in Section 226 of the Public Utilities Code, for the transportation of persons between the City of Santa Ana and the City of Orange and intermediate points, as an extension and enlargement of and to be consolidated with his present operating rights, subject to the following restriction:

- (a) Passengers shall not be transported to or from points between the intersection of Huntington Beach Boulevard and Bolsa Avenue (Midway City) and the intersection of Fourth Street and Lacy Street (Santa Ana), both points inclusive, on the one hand, and to and from points in the City of Orange between the intersection of Glassell Street and La Veta Avenue, and the intersection of Chapman Avenue and Grand Street (Orange), both points inclusive, on the other hand.
- (b) The restriction appearing in Decision No. 42964 on Application No. 30228 shall remain in full force and effect.

(2) That in providing service pursuant to the certificate herein granted there shall be compliance with 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 upon 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 such at any time, C. J. Black, an individual, shall conduct said passenger stage operation over and along the following described route:

Beginning at the intersection of Third and Spurgeon Streets in the City of Santa Ana, thence along Spurgeon Street, Fourth Street, Grand Avenue, Glassell Street (in the City of

Orange), Almond Avenue, Orange Street, and Chapman Avenue to its intersection with Tustin 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.

(3) That except as herein authorized, Application No. 34294 be, and it hereby is, denied.

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

Dated at San Francisco, California, this 4th day of August, 1953.

[Signature]
 PRESIDENT

[Signature]

[Signature]

[Signature]
 COMMISSIONERS

[Signature]