

ORIGINALDecision No. 50054

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 MELVIN H. BUNTING, dba LEE'S AUTO STAGE
 LINE, for certificate of public conven-
 ience and necessity to operate passenger
 service over and along certain streets
 as extensions of existing routes in
 Rialto, San Bernardino County, California,
 to Fontana, and abandonment of certain
 streets in Rialto, and schedule for such
 service.) Application No. 34961

OPINION ON RECONSIDERATION

By Decision No. 49683, dated February 16, 1954, on Application No. 34961, Melvin H. Bunting, doing business as Lee's Auto Stage Line, was given authority (1) to discontinue service over a portion of one route in the City of Rialto, and (2) to extend service between the City of Rialto and the City of Fontana via Arrow Route and Sierra Avenue to its intersection with Merrill Avenue, subject to the following restrictions:

- (a) All passengers carried shall originate at, or be destined to, some point intermediate between the intersection of Palmetto Avenue and Arrow Route in the City of Fontana, on the one hand, and the intersection of Arrow Route and Willow Avenue, in the City of Rialto, on the other hand.
- (b) No through passengers shall be transported between points east or south of the City of Rialto, on the one hand, and points west of the City of Rialto, on the other hand.

Applicant has no objection to that portion of the order of the above described decision which authorizes applicant to

abandon service over a portion of one route in the City of Rialto. He objects to the restrictions imposed on the extended service between Rialto and Fontana and prior to the effective date of the decision, petitioned for, and the Commission ordered, a rehearing to determine the propriety of said restrictions. He has also filed an amendment to his application in which he requests that he be permitted to terminate services at the intersection of Sierra Avenue and Arrow Route in the City of Fontana.

A check of the addresses of applicant's witnesses who appeared or whose testimony was received by stipulation at the original hearing in Rialto on January 21, 1954, shows that they reside on or near Arrow Route between Sierra Avenue in the City of Fontana, and Willow Avenue in the City of Rialto. The elimination of service via Sierra Avenue between Arrow Route and Merrill Avenue, accordingly will be permitted.

The two restrictions on the operation between Fontana and Rialto were imposed because of service rendered in that area by protestant Metropolitan Coach Lines and interested party Fontana Bus Lines. Applicant is now a part owner of Fontana Bus Lines and desires that the restriction on service between points south of Rialto and points west of Rialto be eliminated. Metropolitan Coach Lines is affected by any competing service between Fontana, Rialto and San Bernardino. To obviate the need of a rehearing, it has advised the Commission that restriction (a) set out above may be

changed to read as follows:

- (a) No passengers shall be transported between points west of Palmetto Avenue and Arrow Route and points north and east of the Pacific Electric Railway Company's right of way at Acacia Avenue or Riverside Avenue;

and that restriction (b) set out above relative to service between points east of the City of Rialto and points west of the City of Rialto may be eliminated. Applicant has proposed restrictions worded slightly different, but with the same meaning and has agreed they may be imposed to eliminate the need for a rehearing.

Inasmuch as the only protestant is agreeable to the aforesaid changes in the order, which changes satisfy the requests of the applicant, the order will be changed as above set forth. A public hearing is not necessary.

O R D E R

In conformity with the foregoing opinion,

IT IS ORDERED:

(1) That paragraph (2) of the order of Decision No. 49683, appearing on page 8 and page 9 thereof, is amended to read as follows:

That a certificate of public convenience and necessity be, and it hereby is, granted to Melvin H. Bunting, doing business as Lee's Auto Stage Line, authorizing the establishment and operation of a service as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, for the transportation of persons between the intersection of Arrow Route and Willow Avenue, in Rialto, on the one hand, and the intersection of

Arrow Route and Sierra Avenue in the City of Fontana, on the other hand, and intermediate points as an extension of and to be consolidated with his existing rights, subject to the following conditions and restrictions:

No passengers shall be transported between points west of the intersection of Palmetto Avenue and Arrow Route and points north and east of the Pacific Electric Railway Company's right of way at Acacia Avenue and Riverside Avenue.

(2) Except as herein expressly changed, the provisions of Decision No. 49863 shall remain in full force and effect.

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

Dated at San Francisco, California,
this 17th day of May, 1954.

John E. Mitchell
President

Justice J. Calver

Samuel J. Potter

Gene Roggins

Commissioners