

ORIGINALDecision No. 50277

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
 CHARLES C. TOWLE and MELVIN H. BUNTING,)
 doing business as FONTANA TRANSIT LINES,)
 for a certificate of public convenience)
 and necessity authorizing route changes)
 in and about the city of Fontana as)
 follows:)

(1) Re-routing (a) via Locust and San)
 Bernardino Avenues, and (b) via Cherry)
 Avenue and Valley Boulevard;)

(2) Abandonment of service (a) on)
 portions of Valley Boulevard and Sierra)
 Avenue, (b) on Live Oak Avenue, and (c))
 on San Bernardino Avenue.)

Application No. 35447

Charles C. Towle, for applicants.A. Tounjian and Edward Tounjian, protestants.O P I N I O N

Applicants are copartners doing business under the name of Fontana Transit Lines. They render a service as a passenger stage corporation, pursuant to authority from this Commission, in and around the city of Fontana, among other places. By the application herein they seek authority to make certain route changes together with an abandonment of service along one portion of a route.

¹ The rights were acquired by applicants herein by Decision No. 49873, dated March 30, 1954, on Application No. 35203. The acquired rights are set forth in Decision No. 49612, dated January 26, 1954, on Application No. 34900, and Decision No. 49847, dated March 30, 1954, on Application No. 34900.

A public hearing was held in Fontana on June 21, 1954 before Examiner Rogers, evidence was presented, and the matter was submitted. It is ready for decision. Prior to the hearing, notice thereof was posted and published as required by this Commission. The city of Fontana was notified but made no appearance.

Applicants now have two routes in and about the city of Fontana. Both originate in Colton and proceed west via Valley Boulevard to Fontana.

One route is a twice a day service designed to serve workers at the Kaiser Steel plant located at San Bernardino Avenue and Cherry Avenue. This service proceeds from the intersection of Valley Boulevard and Alder Avenue, via Alder Avenue, Arrow Boulevard (Route) and Cherry Avenue to San Bernardino Avenue. Applicants have requested that if the other changes hereinafter described are permitted, they be permitted to abandon service on Alder Avenue between its intersection with Valley Boulevard and San Bernardino Avenue as this portion of the route will be with no connection to any other line.

Applicants' regular passenger service in Fontana is via the following route: From the intersection of Valley Boulevard and Locust Avenue, via Valley Boulevard, Sierra Avenue, Valencia Avenue, Nuevo, Arrow Boulevard (Route), Sierra Avenue, Merrill Avenue, Fontana Avenue, San Bernardino Avenue, Cherry Avenue, Valley Boulevard and Live Oak Avenue to Slover Street.

In lieu of service along Valley Boulevard between Locust Avenue and Sierra Avenue, and along Sierra Avenue between Valley Boulevard and San Bernardino Avenue, applicants propose to serve along Locust Avenue between Valley Boulevard and San Bernardino Avenue, and along San Bernardino Avenue between Locust Avenue and Sierra Avenue. One of the partners testified that the above-described present routing is two miles in length and that there are only 90-odd houses within one-half mile thereof. A three-day passenger check (Exhibit No. 3) shows an average of only 24 passengers per day boarding or alighting at the 4 stops thereon. The rerouted service will be the same length as the present, not to exceed one-half mile therefrom, and there are over 600 houses within one-half mile thereof. There were no protests to this request. This proposed rerouting is not adverse to the public interest and will be authorized.

In lieu of service along San Bernardino Avenue between its intersections with Fontana Avenue and Cherry Avenue, applicants propose to serve from the intersection of Fontana Avenue and San Bernardino Avenue, via Fontana Avenue, Beech Avenue, and Valley Boulevard to Live Oak Avenue, abandon the present service on Live Oak Avenue between Valley Boulevard and Slover Street, and then proceed via Valley Boulevard, Cherry Avenue, Randall Avenue, Hemlock Street, and Merrill Avenue to its intersection with Fontana Avenue.

Applicants' witness testified that the portion of the present route along San Bernardino Avenue between Fontana Avenue and Cherry Avenue is 1.3 miles in length, with less than 50 houses

thereon. On and off passenger checks show an average of only 31 passengers per day (Exhibit No. 3) riding to or from this portion of applicants' route. The proposed loop route will be within one-half mile or less of approximately 600 homes. The change will add about .4 of a mile to the distance traveled.

The only protest to these changes came from a father and son residing on Banana Avenue, south of Slover Street. These men do not ride the bus but think they and others would use the service if it extended from the intersection of Slover Street and Live Oak Avenue, via Live Oak Avenue, Santa Ana Avenue, Banana Avenue and Slover Street to its intersection with Live Oak Avenue. They estimated that there are 600 homes in the described loop. Applicants' witness estimated less than 200, and stated that a check showed an average of only 11 passengers per day riding to or from points along Live Oak Avenue (Exhibit No. 3).

There will be no change in vehicle requirements or fares, and schedules will remain substantially the same. No other carriers are affected.

Having fully considered the matter we find that the proposed reroutings and abandonments are not adverse to the public interest and that public convenience and necessity require that applicants extend their services as set forth in the opinion herein. The requested authority will be granted.

O R D E R

The Commission having found that the proposed reroutings and abandonments are not adverse to the public interest, and that public convenience and necessity require that applicants extend their services as set forth in the opinion herein,

IT IS ORDERED:

(1) That Charles C. Towle and Melvin H. Bunting, doing business as Fontana Transit Lines, be and they hereby are authorized to abandon portions of their line, described as follows:

- (a) San Bernardino Avenue between its intersections with Cherry Avenue and Fontana Avenue.
- (b) Live Oak Avenue between its intersections with Valley Boulevard and Slover Street.
- (c) Alder Avenue between its intersections with San Bernardino Avenue and Valley Boulevard.
- (d) Sierra Avenue between its intersections with San Bernardino Avenue and Valley Boulevard.
- (e) Valley Boulevard between its intersections with Sierra Avenue and Locust Avenue.

(2) That a certificate of public convenience and necessity be and it hereby is granted to Charles C. Towle and Melvin H. Bunting, doing business as Fontana Transit Lines, 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,

- (a) From the intersection of Cherry Avenue and Randall Avenue, via Randall Avenue, Hemlock Street, and Merrill Avenue to its intersection with Fontana Avenue,

- (b) From the intersection of Fontana Avenue and San Bernardino Avenue, via Fontana Avenue, Beech Avenue, and Valley Boulevard to its intersection with Live Oak Avenue,
- (c) From the intersection of Valley Boulevard and Locust Avenue, via Locust Avenue and San Bernardino Avenue to its intersection with Sierra Avenue,

including in each instance intermediate points, as extensions of and to be consolidated with applicants' existing rights.

(3) That in providing service pursuant to the certificate granted by paragraph (2) of this order there shall be compliance with the following service regulations:

- (a) Within thirty days after the effective date hereof applicants 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, applicants shall establish the service herein authorized and concurrently make effective tariffs and timetables satisfactory to the Commission.

(4) That applicants may consolidate the remaining portions of their lines, as described in Decision No. 49612 and Decision No. 49847 and acquired by applicants in Decision No. 49873, together with the extensions authorized by paragraph (2) of this order, into one line which shall operate via the following routes:

- (a) Beginning at 8th and "I", in the city of Colton, west on "I" Street and Valley Boulevard through Bloomington to Locust Avenue, thence via Locust Avenue, San Bernardino Avenue, Sierra Avenue, Valencia Avenue, Nuevo, Arrow Boulevard (Route), Sierra Avenue, Merrill Avenue, Fontana Avenue, Beech Avenue, Valley Boulevard; Cherry Avenue, Randall Avenue, Hemlock Street, and Merrill Avenue to Fontana Avenue, and thence via Merrill Avenue and Sierra Avenue via the reverse of the going route to Colton.

(b) Also from San Bernardino Avenue and Alder Avenue, via Alder Avenue, Arrow Boulevard (Route) and Cherry Avenue to its intersection with Randall Avenue.

Applicants are authorized to turn their 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.

(5) That prior to the abandonment of service pursuant to paragraph (1) of this order, applicants shall post plainly visible notices in all of their buses and terminals, stating the changes to be made in routings and schedules. Such notice shall remain posted for at least five days prior to the changes authorized by paragraphs (1) and (4) of this order.

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

Dated at San Francisco, California, this 13th day of July, 1954.

Peter E. Mitchell
President
Justin F. Cramer
Samuel Lott
Dennis Higgins

Commissioners