

ORIGINALDecision No. 52423

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)

of

ALBERT LIPPS, doing
business as Douglas Bus
Line,

Application No. 37345

for a certificate of public convenience and necessity to operate a route between Santa Ana and the Douglas Aircraft plant.

O P I N I O N

Albert Lipps, doing business as Douglas Bus Line, has authority from this Commission to render service as a passenger stage corporation for the transportation of employees of the Douglas Aircraft Plant, located on Lakewood Boulevard in Long Beach, California, between the plant and Santa Ana, California, via seven routes which, collectively, pass through Orange, Anaheim and Cypress. This authority is subject to the restrictions that passengers shall not be picked up or discharged between the Douglas plant and (1) the intersection of Woodruff Avenue and Carson Street (in Long Beach), (2) the intersection of Garden Grove Boulevard and Huntington Beach Boulevard (in Orange County) and (3) the intersection of West 17th Street and Hellman Avenue (in Orange County).^{1/}

^{1/} Decision No. 49554, dated January 12, 1954, in Application No. 34673.

By the application herein, filed on September 26, 1955, as amended by amendment filed on December 2, 1955, applicant requests that the above-described authority be modified to permit him to serve between the Douglas plant, on the one hand, and on the other hand, all points and places in the territory bounded as follows:

From the intersection of Centralia Road and Norwalk Boulevard, Centralia Road, Crescent Street, Lora Street, Lincoln Avenue, Center Street, Anaheim-Olive Boulevard, Tustin Avenue, Newport Road, Dyer Road, Bristol Street, Talbert Avenue, Huntington Beach Boulevard, Smeltzer Avenue, Bolsa Chica Road, Bolsa Avenue, Bay Boulevard, Los Alamitos Boulevard, and Norwalk Boulevard to the point of beginning,

excepting from the said territory the following described territory:^{2/}

From the intersection of Los Angeles Street and Ball Road, Ball Road, Stanton Avenue, Lampson Avenue, Brookhurst Street, Garden Grove Avenue, Wright Street, Trask Avenue, Lewis Street, Santa Ana Freeway and Los Angeles Street to the point of beginning.

The requested authority is to be subject to the restrictions that applicant (1) shall neither pick up nor discharge passengers between the Douglas plant and the westerly boundary of the proposed service area, exclusive of both places, and (2) shall neither pick up nor discharge passengers along Stanton Avenue between Lampson Avenue and Ball Road.

^{2/} Except for the westerly side, the excepted area boundaries are approximately $\frac{1}{2}$ mile outside the outside boundaries of the service area of William A. Jackson who is authorized to render the type of service proposed by applicant between a described area and the Douglas plant (Decision No. 51959, dated September 13, 1955, in Application No. 36972).

As justification for the granting of the requested authority the applicant alleges that he has been hauling passengers for a number of years over the authorized routes; that the area embraced in the application has been increasing in population during the last two years; that his customers frequently move from one subdivision to another in the proposed service area; and that the restriction of applicant's service to particular routes works a hardship upon his customers and a financial loss to applicant.

Applicant will use his present equipment consisting of nine 28 to 41 passenger stages; will charge the same fare as at present, i.e. \$3.50 per week; and will run the same number of schedules, i.e. one schedule each direction for each of three shifts (several stages will go to and from different points in the service area on each schedule).

On September 23, 1955, copies of the application were mailed by applicant to the cities involved and to all passenger carriers which might be affected. No protests have been received.

We have fully considered the record herein and we are of the opinion, and find, that public convenience and necessity require that applicant provide service as set out in the order herein in lieu of the service authorized by Decision No. 49554, referred to supra. It will be so ordered. A public hearing is not necessary.

O R D E R

The Commission having made the finding set forth above, and based upon said finding,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity be, and it hereby is, granted to Albert Lipps authorizing him to establish and operate a service as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, for the transportation of employees of the Douglas Aircraft Company only between the points and over the routes as more particularly set forth in Appendix A attached hereto and made a part hereof in lieu of the authority granted by Decision No. 49554, dated January 12, 1954, in Application No. 34673, which authority is hereby cancelled and revoked.

(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. By accepting the certificate of public convenience and necessity herein granted, applicant is placed upon notice that it will be required, among other things, to file annual reports of its operations and to comply with and observe the safety rules and other regulations of the Commission's General Order No. 98. Failure to file such reports, in such form and at such time as the Commission may direct, or to comply with and observe the provisions of General Order No. 98, may result in a cancellation of the operating authority granted by this decision.

- (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.

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

Dated at San Francisco, California,
this 28th day of December, 1955.

[Signature]
President

[Signature]

[Signature]

[Signature]

Commissioners

Decision No. 52423

Dated DEC 28 1955

Application No. 37345

APPENDIX A
Page 1 of 2

Albert Lipps, doing business as Douglas Bus Line, by the certificate of public convenience and necessity granted in the above-numbered decision, is authorized to transport persons between the Douglas Aircraft Company plant located on Lakewood Boulevard near Carson Street, in the City of Long Beach, California, on the one hand, and on the other hand, all points and places in an area in Orange and Los Angeles Counties, California bounded as follows:

From the intersection of Centralia Road and Norwalk Boulevard, Centralia Road, Crescent Street, Lora Street, Lincoln Avenue, Center Street, Anaheim-Olive Boulevard, Tustin Avenue, Newport Road, Dyer Road, Bristol Street, Talbert Avenue, Huntington Beach Boulevard, Smeltzer Avenue, Bolsa Chica Road, Bolsa Avenue, Bay Boulevard, Los Alamitos Boulevard, and Norwalk Boulevard to the point of beginning,

excepting from the said territory the following described territory:

From the intersection of Los Angeles Street and Ball Road, Stanton Avenue, Lampson Avenue, Brookhurst Street, Garden Grove Avenue, Wright Street, Trask Avenue, Lewis Street, Santa Ana Freeway and Los Angeles Street to the point of beginning,

subject to the following conditions and restrictions:

- (a) Applicant shall neither pick up nor discharge passengers between the Douglas Aircraft Plant, on the one hand, and Los Alamitos Boulevard or Norwalk Boulevard, on the other hand.
- (b) Applicant shall neither pick up nor discharge passengers along Stanton Avenue between its intersections with Lampson Avenue and Ball Road.

Decision No. 52423
Dated DEC 28 1955
Application No. 37345

APPENDIX A
Page 2 of 2

Subject to the authority of this Commission to change or modify such at any time, Albert Lipps, doing business as Douglas Bus Line, shall conduct said passenger stage operations over and along the following described routes:

- (1) Between the Douglas Aircraft Plant and the intersection of Carson Street (Lincoln Avenue) and Los Alamitos Boulevard (Norwalk Boulevard) via Lakewood Boulevard, Carson Street and Lincoln Avenue.
- (2) Between the Douglas Aircraft Plant and the intersection of Garden Grove Avenue and Los Alamitos Boulevard via Lakewood Boulevard, Pacific Coast Boulevard and Garden Grove Boulevard.

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.