

ORIGINAL

Decision No. 53943

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 SOUTHLAND BUS LINES, INC., for a)
 railroad stop exemption, for authority)
 to operate a passenger stage and ex-)
 press service between Los Angeles and)
 Garden Grove; for authority to oper-)
 ate an express service over existing)
 passenger routes; to establish rates)
 for excess baggage; for certificate)
 of public convenience and necessity)
 for school routes; for exemption from)
 certain sections of General Order)
 No. 98.)

Application No. 37806
 Amended

William D. Bourne, for applicant;
Dean Carson and James Carson, for Cross Town Bus
 Lines, and Southern Cities Transit, protestants;
James H. Lyon, for Metropolitan Coach Lines;
Henry E. Jordan, chief engineer, for Bureau of
 Franchises and Public Utilities, Long Beach;
 and Albert Lipps, doing business as Douglas Bus
 Lines, interested parties;
S. P. Carr, doing business as Laguna Beach-Santa
 Ana Stage Line and J. J. Dohnalek, doing business
 as Huntington Beach Bus Lines, protestants;
Fred G. Ballenger and Leonard Diamond, for the
 Commission staff.

O P I N I O N

Southland Bus Lines, Inc., presently conducts passenger stage service between Long Beach, Disneyland, Buena Park and intermediate points over two routes via the communities of Lakewood, Los Alamitos, Hawaiian Gardens, Knott's Berry Farm, Stanton and Garden Grove.¹ Applicant is also engaged in the transportation of parochial school children between three elementary schools and one high school, on the one hand, and the homes of such school children in three parishes in Orange County, on the other hand. ✓

¹ Decision No. 51270, Application No. 36344.

Applicant requests authority as follows:

1. To reroute certain parts of its operations.
2. To discontinue service north of Knott's Berry Farm to and including Buena Park.
3. To establish certain fractional increases and decreases in fares and the equalization of fares between Long Beach and Disneyland, on the one hand, and between Long Beach and Knott's Berry Farm, on the other hand.
4. For relief from the long- and short-haul provisions of Article XII, Section 21 of the Constitution and Section 460 of the Public Utilities Code.
5. For authority to install "exempt signs" at Crossing No. 6NC-29.22-C of Pacific Electric Railway.
6. For exemption from the provisions of certain other sections of General Order No. 98 having to do with bell cords, headroom, carrier's name and destination signs in regard to vehicles used for the transportation of school children.
7. For a new certificate superseding that created by said Decision No. 51270 which would authorize the transportation of passengers, baggage and shipments of express weighing 100 pounds or less between Long Beach, Disneyland, Knott's Berry Farm and intermediate points over a loop route. A certificate is also requested for the transportation of school children between their homes and schools of attendance in three parishes.
8. For relief from provisions of the Commission's Decision No. 31606, as amended, in Case No. 4246 and Decision No. 52199, Case No. 5432, which established minimum rates for the transportation of property.

A public hearing in this proceeding was held before Examiner Leo C. Paul at Downey and Los Angeles on April 25 and 26, 1956, and submitted on the latter date.

The various proposals will be discussed in the order as indicated above.

Applicant testified as to the use of the various routes he proposes to discontinue serving. An on and off check for the 7-day period extending from April 16 through April 22, 1956, showed that 8 passengers were picked up in the Lakewood area along Bellflower Boulevard and Spring Street on schedules outbound from Long Beach, and 11 passengers were discharged on the inbound trips. All of these passengers, according to the evidence, originated at or were destined to points served by the Long Beach Motor Bus Co. which service would continue to be available by transfer from applicant's line at 7th Street and Bellflower Boulevard. During the same period on the route between Knott's Berry Farm and Buena Park 16 passengers were picked up and 14 were discharged² (Exhibit No. 5). Applicant would continue eight daily round trips and four additional round trips daily except Sundays and holidays between Long Beach, Knott's Berry Farm and Disneyland and intermediate points (Exhibit No. 6).

In serving Disneyland from Long Beach applicant presently uses Harbor Boulevard which has limited residential development. Harbor Boulevard is paralleled three blocks to the west by West Street which applicant desires to use. The evidence indicates that West Street is thickly populated, would produce more needed revenue for applicant than Harbor Boulevard and is a more direct route to

² By Decision No. 53366, Application No. 37812 Metropolitan Coach Lines was recently authorized to reroute its No. 58 line. One part of the rerouting is to enable it to provide service between Knott's Berry Farm and Buena Park over most of the route which applicant Southland Bus Lines proposes to discontinue operations. Knott's Berry Farm would then have, for the first time, a direct local passenger stage transportation service to and from Los Angeles and intermediate points along U. S. Highway 101. Applicant herein would continue service between Long Beach and Knott's Berry Farm.

the Disneyland bus entrance. The witness for applicant stated that many requests have been received to serve the West Street route.

Applicant seeks authority to modify a portion of its present fare structure as follows:

Fares	
<u>Present</u>	<u>Proposed</u>
41¢	45¢
45¢	35¢(1)
45¢	41¢(2)
50¢	55¢
54¢	59¢
65¢	68¢

- (1) Knott's Berry Farm to Disneyland.
- (2) Buena Plaza to Disneyland.

In addition to the above changes applicant desires to establish the following school fares:

Within any parish \$46.25 per child per year, payable in 37 weekly payments of \$1.25, or 10 monthly payments of \$4.50.

These school fares would be applicable to any two children in any one family. Each additional child of the same family would be charged \$8 annually, payable in advance.

Between any two parishes \$55.50 per child per year, payable in 37 weekly payments of \$1.50, or 10 monthly payments of \$5.40.

These school fares would be applicable to any two children in any one family. Each additional child of the same family would be charged \$10 annually, payable in advance.

Presently Buena Park and Disneyland are the easterly termini of two routes of applicant which converge at Long Beach on the west. As noted above, applicant desires to abandon service beyond Knott's Berry Farm to and including Buena Park (Exhibit 6). If authorized Knott's Berry Farm would become the easterly terminus of one of applicant's present routes. However, under applicant's

plan of rerouting, its operations would continue easterly from Long Beach along 7th Street to Los Alamitos Boulevard. From the latter point the proposed route would consist of a large meandering loop extending from and encompassing the area of Hawaiian Gardens, Knott's Berry Farm, Disneyland, Garden Grove, Los Alamitos Race Track and Stanton. This loop route would be created by establishing a line along Stanton Avenue which would connect the present two routes. In doing so the two sides of the route are caused to converge at Stanton thus placing it on both sides of the loop route. Alternate schedules would operate in opposite directions over this route thus bringing about some fare discrepancies and some violations of the long- and short-haul provisions of Section 460 of the Public Utilities Code as well as of the Constitution: Applicant's present one-way fare between Long Beach, on the one hand, and Knott's Berry Farm, Stanton and Disneyland are 64 cents, 50 cents and 68 cents respectively. The evidence shows applicant's preponderant traffic is between Long Beach, on the one hand, and Knott's Berry Farm and Disneyland, on the other hand. Authority is sought to equalize the fares to and from Knott's Berry Farm and Disneyland at 68 cents to avoid a long- and short-haul violation which would be brought about in some cases by the manner in which the schedules would be operated. We find this proposed increase in fare is justified and it will be authorized. Adverting to the point of Stanton it appears from applicant's tariff presently in effect (Cal.P.U.C. No. 5) that the points of Knott's Berry Farm, Stanton and Disneyland are distant from Long Beach 21, 16 and 26 miles respectively. The distance of 16 miles to Stanton and the fare of 50 cents are over the present direct route to Disneyland. Under the proposed loop route arrangement the distance between Long Beach and Stanton via Knott's Berry Farm would be approximately 24 miles. On this record we cannot find any

justification to relieve applicant from application of the long- and short-haul provisions of the law with respect to the fares which would be applicable to Stanton under the proposed plan of operation, which places the fare point of Stanton between two other points with higher fares. Applicant will be expected to take immediate steps necessary to correct this situation before inauguration of service over the new route authorized between Knott's Berry Farm and Stanton along Stanton Avenue.

In regard to other minor modifications of fares applicant's witness stated that the differential of present fares from zone to zone varies from 5 to 10 cents in some cases. Applicant desires to adjust these fares upward in order to establish a uniform differential of 10 cents from zone to zone. On the evidence of record we find this proposal of applicant is justified and it will be authorized.

Applicant also requests the Commission to authorize the installation of "exempt signs" at Crossing No. 6NC-29.22-C, where a spur track of the Pacific Electric Railway crosses Los Alamitos Boulevard at grade. It is indicated that the roadway at this spur track crossing is constructed of asphaltic material and is approximately 30 feet wide. Northbound the view in both directions is unobstructed for more than 500 feet. Southbound the similar view is unobstructed for more than 300 feet. Protection is by two standard No. 1 signs. It appears the rail tracks at the crossing are not being used at this time except at rare intervals. Applicant's witness stated that its buses use this crossing 15 times daily. There is no objection of record to this request and it will be approved.

In justification for exemption from certain rules set forth in the Commission's General Order No. 98 applicant's witness

stated that bell cords or buzzers are neither needed nor useful in equipment used exclusively for the transportation of school children. Where such devices are present, so the witness said, they are a constant invitation to younger school children and are often used needlessly and to an extent and in a manner that creates confusion, annoyance and destruction of property. We find this request is justified and it will be authorized.

The equipment that applicant plans to use in the proposed school bus operation varies in headroom from 68½ to 72 inches. Exemption is sought from the application of Rule No. 8.02 of General Order 98 which requires that "Standing passengers shall not be carried unless a major portion of the aisle headroom is 74 inches or more." The witness for applicant stated that it is not the practice of applicant when transporting school children to permit standees. However, when breakdowns occur or for other reasons a smaller bus is sometimes substituted for a larger one some of the children must stand. Other situations were cited under which applicant has transported standee school passengers. The record shows, and it is well known to the applicant, that the standard practice as required by law is that standees are not allowed in so-called school bus operations. In this record we find insufficient justification to relax the rule cited. Therefore, applicant's request for exemption from the provisions of the standee Rule No. 8.02 will be denied.

Rules Nos. 18.03 and 18.04 require passenger stage corporations to display route and destination signs and signs indicating following sections. It is obvious that the information imparted by the requirement of these rules is needless and should not be made applicable to applicant's proposed school bus operations.

Applicant requests that in issuing the decision authorizing the various proposals above referred to a new certificate be

granted which will supersede that presently held by applicant. It is further requested that in granting such certificate applicant be authorized to transport baggage and shipments of express weighing not to exceed 100 pounds incidental to the transportation of passengers. Applicant's witness testified that numerous requests have been received from various merchants at points served that applicant establish a service for the transportation of small shipments consisting principally of auto parts, auto supplies, printing office supplies, drugs and drugstore sundries and other commodities of various kinds. In connection with this transportation, applicant requests relief from the provisions of the Commission's Decision No. 31606, as amended in Case No. 4246 which established various minimum rates, rules and regulations for the transportation of property. The basis for such request is that the express traffic will be limited in volume and will not justify the expense of preparation of elaborate tariffs. There is no protest to this proposal.

In the establishment of the minimum rates prescribed in Minimum Rate Tariff No. 2, the Commission has found that the minimum rates so established should not apply to certain passenger stage corporations when transporting incidental express shipments of limited weights and also should not apply to certain other types of carriers offering highly specialized services. From time to time the Commission has exempted such carriers from the minimum rates upon a showing of operations similar to or the same as applicant's. We find that the exemption herein sought is justified.³

³ Decision No. 31606, 41 CRC 781 (1938), as amended in Cases Nos. 4246, 4808 and 5432. Decision No. 52199, November 7, 1955, Case No. 5432.

The only participation herein by any protestant was that of Cross Town Bus Lines. That was confined to cross-examination of applicant's witness which produced no material evidence.

After full consideration of all the evidence adduced herein, the Commission finds that public convenience and necessity require that the route abandonments, reroutings and extensions sought should be authorized. They will be authorized by granting to applicant a new certificate which will supersede that presently held by it. The authority granted will be set forth in appendices attached to the order herein and in a form which can be adapted to loose-leaf use.

O R D E R

An application therefor having been filed, a public hearing held thereon and based upon the evidence and findings set forth in the foregoing opinion,

IT IS ORDERED:

1. That a certificate of public convenience and necessity is hereby granted to Southland Bus Lines, Inc., a corporation, authorizing the establishment and operation of service as a passenger stage corporation, as that term is defined in Section 226 of the Public Utilities Code, for the transportation of passengers, baggage and shipments of express weighing not in excess of 100 pounds each and transported on passenger-carrying vehicles only, between the termini and all points intermediate thereto and over the routes as described and specifically set forth in Appendix A which is attached hereto and, by this reference, made a part hereof and subject to the provisions, restrictions, limitations and specifications contained therein. Service under this certificate shall be conducted as a single consolidated and unified operation.

2. That the certificate of public convenience and necessity granted in paragraph 1 of this order supersedes the certificate granted by Decision No. 51270 dated March 29, 1955, in Application No. 36344 and said certificate granted by Decision No. 51270 is hereby revoked. ✓

3. That a certificate of public convenience and necessity is hereby granted to Southland Bus Lines, Inc., a corporation, authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section No. 226 of the Public Utilities Code, only for the transportation of school children between the termini and points intermediate thereto and over all routes in the areas set forth in Appendix B attached to and made a part hereof.

4. That in providing service pursuant to the certificates granted in paragraphs 1 and 3 of this order 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 certificates 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 services herein authorized and file in triplicate and concurrently make effective tariffs and time schedules satisfactory to the commission.
- c. That in establishing the proposed school fares applicant shall define the period covered by the school term. A rule shall be provided for the refund of any unused portion of a school ticket.

5. That applicant is authorized to increase or decrease fares as follows:

<u>Between</u>	<u>And</u>	<u>From</u>	<u>To</u>
Long Beach	Buena Plaza	\$0.54	\$0.59
Long Beach	Knott's Berry Farm	.64	.68
Long Beach	W. Garden Grove	.54	.59
East Long Beach	Buena Plaza	.41	.45
East Long Beach	Knott's Berry Farm	.50	.55
East Long Beach	W. Garden Grove	.41	.45
Knott's Berry Farm	Disneyland	.45	.35
Buena Plaza	Disneyland	.45	.41

6. That applicant is hereby relieved from the long- and short-haul provisions of Article 12, Section 21 of the Constitution and Section 460 of the Public Utilities Code except as to the fare applicable to and from the point of Stanton.

7. That authority is hereby granted for the display of distinctive "exempt signs" (Vehicle Code Sec. 576(d)) at Crossing No. 6NC-29.22-C of Pacific Electric Railway at Los Alamitos Boulevard subject to the following provisions:

Such signs shall comply with Section 16.05 of General Order No. 98 and shall be erected and maintained by the proper authorities. If any sign is removed or the view thereof obstructed, the driver of any vehicle as described in Section 576(a) (Vehicle Code) shall comply with the requirements of Section 576(a) (Vehicle Code) as prescribed for grade crossing locations without "exempt signs."

Within thirty days after erection of such signs applicant shall so advise the Commission in writing. This approval does not exempt any vehicle operator from the observance of any provision of the Vehicle Code and shall lapse if signs are not displayed within one year unless time be extended, or if there is noncompliance with the above conditions. Approval may be revoked or modified if public convenience, necessity or safety so require.

8. That in the operation of buses engaged exclusively in the transportation of school children between their homes and schools applicant shall be exempt from the following sections of the Commission's General Order No. 98:

Section 3.08, bell cords or buzzers; Section 18.03, route and destination signs; and Section 18.04 signs required when operating in sections.

9. That applicant is hereby exempted from observing the rates, rules and regulations provided in Minimum Rate Tariff No. 2 for shipments of 100 pounds or less, and that Decision No. 52199, Case No. 5432, as amended, is hereby further amended by adding the name of Southland Bus Lines, Inc., to the list of names of carriers in Appendix B of said Decision No. 52199.

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

Dated at San Francisco, California, this 16th day of October, 1956.

[Signature]
President
[Signature]
[Signature]
[Signature]
[Signature]
Commissioners

The certificate hereinafter noted supersedes all operative authority created by Decision No. 51270 dated March 29, 1955, in Application No. 36344.

Southland Bus Lines, Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin is authorized to transport passengers, baggage and shipments of express weighing 100 pounds each or less on passenger-carrying vehicles only, serving the termini and all intermediate points as hereinafter described subject to the following provisions:

Restrictions

No passengers, baggage or express shall be transported between any two points which are both west of the San Gabriel River.

No passengers or baggage shall be transported between any two points which are both east of Pacific Electric Railway's Crossing No. 6NC-27.19, west of the intersection of Garden Grove Boulevard and Sandra Place and south of the intersection of Euclid Avenue and Stanford Avenue, all points inclusive.

Motor vehicles may be turned at termini or intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections, in accordance with local traffic regulations.

When route descriptions are given in one direction, they apply to operations in either direction or in one direction, unless otherwise indicated.

Subject to the authority of this Commission to change or modify such at any time Southland Bus Lines, Inc., shall conduct said passenger stage operations between the following points and over and along the following described routes:

Issued by California Public Utilities Commission.

Decision No. 53943, Application No. 37808.

ROUTES A AND B BETWEEN LONG BEACH AND LOS ALAMITOS

From the intersection of First Street and American Avenue in the City of Long Beach, along American Avenue, Sixth Street, California Avenue, Seventh Street - Garden Grove Boulevard and Los Alamitos Boulevard to Katella Avenue. Return via reverse of above route to Seventh Street and California Avenue, thence via Seventh Street and American Avenue to First Street.

Issued by California Public Utilities Commission.

Decision No. 5:1043, Application No. 37808.

ROUTE A BETWEEN LOS ALAMITOS AND DISNEYLAND
(ANAHEIM) VIA KNOTT'S BERRY FARM

From the intersection of Katella Avenue and Los Alamitos Boulevard, along Los Alamitos Boulevard, Norwalk Boulevard, Carson Street - Lincoln Avenue, Miller Street, Crescent Avenue, Knott Avenue, La Palma Avenue, Grand Avenue, Lincoln Avenue, Stanton Avenue, Katella Avenue to southerly entrance to Disneyland. Return from westerly exit from Disneyland, along West Street, Katella Avenue and reverse of above route.

Issued by California Public Utilities Commission.

Decision No. 53943, Application No. 37808.

ROUTE B BETWEEN LOS ALAMITOS AND DISNEYLAND (ANAHEIM)

From the intersection of Katella Avenue and Los Alamitos Boulevard, along Katella Avenue, Noel Street, Faraquhar Avenue, Lexington Drive, Katella Avenue, Stanton Avenue, Chapman Avenue, Euclid Avenue, Garden Grove Boulevard, West Street and Katella Avenue to southerly entrance to Disneyland. Return from westerly exit from Disneyland, along West Street and reverse of above route.

Issued by California Public Utilities Commission.

Decision No. 53943, Application No. 37808.

ALTERNATE ROUTES

Along Seventh Street, Garden Grove Boulevard between Los Alamitos Boulevard and Euclid Avenue; along Stanton Avenue between Garden Grove Boulevard and Chapman Avenue; along Katella Avenue between Noel Street and Lexington Drive.

Along Faraquhar between Los Alamitos Boulevard and Noel Street.

End of Appendix A

Issued by California Public Utilities Commission.

Decision No. 55515, Application No. 37808.

Southland Bus Lines, Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin is authorized to transport school children only, serving the termini and all intermediate points and over the routes specified in the zones as more particularly described hereinafter and subject to the following provisions:

Motor vehicles may be turned at termini or intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections, in accordance with local traffic regulations.

When route descriptions are given in one direction, they apply to operations in either direction or in one direction, unless otherwise indicated.

Subject to the authority of this Commission to change or modify such at any time Southland Bus Lines, Inc., shall conduct passenger stage operations for the transportation of school children between all points as follows:

Issued by California Public Utilities Commission.

Decision No. 53043, Application No. 37808.

ZONE 1. Between St. Paul V. School and points in Los Angeles and Orange Counties in the area:

Beginning at the intersection of Carmenita Road and Alondra Boulevard, thence along Alondra Boulevard, the Santa Fe Railway, Valley View Avenue, Rosecrans Avenue, Ocaso Avenue, Alondra Boulevard, the prolongation of Grand Avenue, the Santa Fe Railway, Dale Street, Cerritos Avenue, Miller Street, Ball Road, Bloomfield Avenue, Coyote Creek and Carmenita Road to the point of beginning.

ZONE 2. Between Blessed Sacrament School and points in Orange County in the area:

Beginning at the intersection of Knott Avenue and Ball Road, thence along Ball Road, Brookhurst Avenue, Katella Avenue, Harbor Boulevard, Wintersberg Avenue, Bolsa Chica Road, Garden Grove Boulevard and Knott Avenue to the point of beginning.

Issued by California Public Utilities Commission.

Decision No. 53043, Application No. 37808.

ZONE 3. Between the St. Columban's School and points in Orange County in the area:

Beginning at the intersection of Gilbert Street and Ball Road, thence along Ball Road, Brookhurst Avenue, Katella Avenue, Harbor Boulevard, Wintersberg Avenue, Wright Street, Westminster Boulevard and Gilbert Street to the point of beginning.

ZONE 4. Between Mater Dei High School and points in Orange County in the area:

Beginning at the intersection of Carmenita Road and Alondra Boulevard, thence along Alondra Boulevard to the Santa Fe Railway, Dale Street, Ball Road, Brookhurst Avenue, Katella Avenue, Harbor Boulevard, Palm Street, Garden Grove Boulevard, Bristol Street, Edinger Street, Harbor Boulevard, Wintersberg Avenue, Bolsa Chica Road, Garden Grove Boulevard, Knott Avenue, Ball Road, Bloomfield Avenue, the Coyote Creek and Carmenita Road to the point of beginning.

End of Appendix B

Issued by California Public Utilities Commission.

Decision No. 53943, Application No. 37608.