

ORIGINAL

Decision No. 55216

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of TANNER MOTOR TOURS, LTD.,
 for a certificate of public convenience
 and necessity authorizing transporta-
 tion of persons by motor vehicle be-
 tween San Bernardino, Colton and River-
 side, on the one hand, and the Santa
 Anita and Hollywood Park Race Tracks,
 on the other, and between San Bernardino,
 Colton and Riverside, on the one hand,
 and the Tournament of Roses Parade and
 the Rose Bowl Stadium, Pasadena, on the
 other hand.

) Application No. 38654

Gordon, Knapp and Gill, by Wyman C. Knapp, for applicant.

Waldo K. Greiner and James H. Lyons, for Metropolitan
 Coach Lines, protestant.

David D. Canning, for Los Angeles Transit Lines, interested
 party.

O P I N I O N

By this application, as amended, Tanner Motor Tours, Ltd., a corporation, seeks authority to establish and operate a passenger stage service between San Bernardino, Colton and Riverside, on the one hand, and the Santa Anita Race Track in Arcadia, and the Pasadena Tournament of Roses and Rose Bowl, on the other hand. No intermediate points will be served. The request to serve Hollywood Park Race Track was withdrawn.

Applicant proposes to use deluxe-type sightseeing buses, charge round-trip fares, and will pick up and discharge passengers only at the principal hotels in each of said cities. Schedules will be established for the convenience of the patrons, generally, to arrive before first post time and leave after the last race.

The Pasadena service will be rendered only on New Year's Day with schedules to meet the needs and convenience of the public. The service to the Santa Anita Race Track will be rendered only on days when thoroughbred and harness races are scheduled at said track.

Applicant is now operating as a passenger stage corporation generally throughout Southern California, including the transportation of passengers to and from the Santa Anita and Hollywood Park Race tracks and the transportation of sightseeing passengers to, from, and between various cities including Pasadena, Arcadia, San Bernardino and Riverside as more specifically set forth in numerous decisions of this Commission (Exhibit No. 2 and Decision No. 40637).

A public hearing was held in Riverside, California, before Examiner Mark V. Chiesa. Oral and documentary evidence having been adduced, the matter was submitted for decision.

It is clear that applicant is able and ready to perform the transportation service as herein proposed, and we so find.

Proposed fares, exclusive of tax, are as follows:

<u>Between</u>	<u>And</u>	
San Bernardino, Colton and Riverside	Santa Anita Race Track	\$3.00
San Bernardino, Colton and Riverside	Tournament of Roses Parade and Rose Bowl Stadium (1/2-day tour)	3.50
San Bernardino, Colton and Riverside	Tournament of Roses Parade and Rose Bowl Stadium (full-day tour)	4.50

The above proposed fares are round-trip fares with no service to, from, or between intermediate points.

Applicant's main route will be along the San Bernardino Freeway, Rosemead Boulevard and Huntington Drive to the entrance to said race track. Applicant proposes to operate one or more

buses depending on patronage. One bus will start from San Bernardino and one from Riverside. If only one bus is used it will pick up passengers in both cities and also at Colton.

Several public witnesses from each of the three cities testified that there is a need for applicant's proposed service. Said witnesses included hotel managers, businessmen, tourists and residents. The director of public relations for the Santa Anita Race Track also testified in support of the application.

Metropolitan Coach Lines, protestant, is now authorized to conduct a regular passenger stage service between San Bernardino, Colton, and Riverside, on the one hand, and Los Angeles, on the other hand, and between Los Angeles, on the one hand, and Pasadena and Arcadia (including the Santa Anita Race Track), on the other hand. It also operates extensively in other parts of Los Angeles, Orange, San Bernardino and Riverside Counties. Until December of 1956 it transported some passengers from San Bernardino, Colton, and Riverside to the Santa Anita track via a combination of its lines, but not in a direct point-to-point service. Beginning with the winter race meeting of 1956-57 at the Santa Anita Race Track it inaugurated a direct service using portions of two or more previously certificated routes serving points other than the said race track. Having been informed by the Commission's staff that such direct service was not in compliance with its certificates, Metropolitan Coach Lines filed its Application No. 38720, requesting the necessary authority for a direct route between San Bernardino, Colton, and Riverside, including certain intermediate points, and the Santa Anita Race Track.

A public hearing has been held on said application and the matter will be disposed of separately.

Protestant contends that as it is now serving the territory and is willing to provide such service as applicant is proposing, this Commission may not issue a certificate to applicant (Public Utilities Code, Section 1032).^{1/} The evidence of record and the Commission's prior orders clearly show that applicant also is serving the territory in question and is operating over and along the same principal routes used by protestant. We are unable in this instance to find facts that would justify the application of the limitation contained in said Section 1032 of the Public Utilities Code.

Having considered the evidence of record, the Commission is of the opinion and finds that public convenience and necessity require the establishment and operation of the proposed service. The application will be granted.

O R D E R

A public hearing having been held in the above-entitled matter, the Commission being fully advised in the premises and having found that public convenience and necessity so require,

^{1/} "The commission may, after hearing, issue a certificate to operate in a territory already served by a certificate holder under this part only when the existing passenger stage corporation or corporations serving such territory will not provide such service to the satisfaction of the commission."

IT IS ORDERED:

1. That a certificate of public convenience and necessity be, and it hereby is, granted to Tanner Motor Tours, Ltd., a corporation, 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 points and along the routes as more particularly described in Appendix A, attached hereto and made a part hereof.

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) Upon not less than five days' notice to the Commission and the public, applicant shall establish the service herein authorized with the commencement of the next race meeting, 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 2nd day of JULY, 1957.

[Signature]
 President

[Signature]

[Signature]

[Signature]

[Signature]
 Commissioners

Tanner Motor Tours, Ltd., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport persons between San Bernardino, Riverside and Colton, on the one hand, and Pasadena and the Santa Anita Race Track, on the other hand, subject to the following conditions and restrictions:

- (a) The transportation service herein authorized to the City of Pasadena shall be rendered only for passengers attending the annual Rose Bowl football game and/or the Tournament of Roses Parade.
- (b) The transportation service herein authorized to the Santa Anita Race Track shall be rendered only on days when thoroughbred and harness races are scheduled and for passengers destined to the said race track and originating at San Bernardino, Riverside or Colton.
- (c) Applicant shall pick up and discharge passengers only at the following places:
- In San Bernardino: California Hotel, Antlers Hotel, and Travlers Hotel
In Riverside: Mission Inn and Tetley Hotel
In Colton: Anderson Hotel
- (d) Subject to the authority of this Commission to change or modify such passenger stage operation at any time, Tanner Motor Tours, Ltd., shall conduct said operation over and along the following described main routes:

Santa Anita Race Track Route:

Within and between the Cities of San Bernardino, Riverside and Colton, along the most appropriate and direct routes; thence along the San Bernardino Freeway, Rosemead Boulevard and Huntington Drive. Returning via the reverse of said route.

Pasadena Route:

Same as above and including other appropriate streets within the City of Pasadena. All subject to local traffic requirements.