

Harold K. Marcum and David B. Kerr, attorneys, for applicant in Application No. 38911; and protestant in Application No. 38936.
Donald Murchison, attorney, for applicant in Application No. 38936, and protestant in Application No. 38911.
William R. Phillips, attorney, for applicant in Application No. 38935, and protestant in Application No. 38936.
Yellow Cab Co. of Garden Grove, by B. Rex Maxwell;
Southland Bus Lines, Inc., by William D. Bourne;
Union Bus Depot, by R. J. Williams; Henry E. Jordan, Chief Engineer-Secretary, for Bureau of Franchises and Public Utilities, City of Long Beach; N. B. James, for Industrial Development Division, Santa Ana Chamber of Commerce; and Frank J. Gelinis, for Santa Ana Chamber of Commerce; interested parties.
Los Angeles Airways, by Royal M. Sorensen; Yellow Cab Service, by Clifton E. Briley; and Airport Service, Inc., by John Clock; protestants.
Fred G. Ballenger, for the Commission staff.

O P I N I O N

Each of the three applicants in these proceedings requests authority from this Commission for a certificate of public convenience and necessity to operate a passenger stage service between the International Airport and the Lockheed Air Terminal and various cities in Los Angeles and Orange Counties.

Public hearings were held before Examiner Syphers on April 26 and May 27, 1957, at Santa Ana, on May 28, 1957, at Whittier, and on June 4, 1957, in Los Angeles. On these dates evidence was adduced and on the last-mentioned date the matter was submitted. It now is ready for decision. The three applications were heard on a consolidated record.

In Application No. 38911, Boyles and Britton, a partnership doing business as Airport Coach Service, proposes to conduct an operation between Santa Ana and the International Airport. The route requested is from the Santa Ana Hotel at Sixth and Main Streets in Santa Ana, thence via various streets to the Santa Ana Freeway, leaving the freeway at Anaheim to make a stop at the Disneyland Hotel at Anaheim, returning to the freeway and continuing thereon to Artesia

Avenue, thence via Artesia Avenue, Crenshaw Boulevard and Century Boulevard to the International Airport. Applicant proposes to haul passengers whose destination is from or to the airport and the only two stops other than the airport will be at Anaheim and Santa Ana at the points hereinabove mentioned.

The equipment proposed to be used will be two 7-passenger Cadillac limousines which are now owned by applicant, and three 9-passenger station wagons which will be purchased. Fourteen round trips per day are contemplated and the proposed fares are set out in Exhibit C attached to the application. Basically these fares will be \$3.41 one-way from Santa Ana to the airport, and \$2.95 from Anaheim to the airport. In addition to these basic fares there are children's fares proposed and likewise rates for transporting baggage alone.

This applicant consists of a partnership, one of whom presently is conducting a similar limousine service known as Airport Service, Inc. Witnesses for this applicant who testified as to the need for such a service included representatives of various commercial and industrial firms in the vicinity of Santa Ana and Anaheim. The financial statement of this applicant, Exhibit 2, discloses no reason why it is not financially able to conduct the proposed operation. In further support of the public need, the applicant presented the results of a study it had made showing population growth in the area and a general increase in business activity. Additionally, forty letters from various industries and businesses in the vicinity were submitted, all in support of this application.

Application No. 38935 is made by a partnership composed of Ross and Stephenson, doing business as Airport Stages. The proposal is to operate from Whittier through Huntington Park via Florence

Avenue and other streets to the International Airport at Inglewood. It is also proposed to use alternate routes between Huntington Park and Whittier and the Lockheed Air Terminal at Burbank, California, which alternate routes will be used in the event that traffic has been closed down at Los Angeles International Airport due to weather or some other condition.

This applicant proposes to commence operations with two station wagons which presently are in its possession, a 1954 Ford 9-passenger and a 1950 Mercury 8-passenger, and intends to purchase four other stretch-out limousines. These will include a 1952 Chevrolet, a 1953 Chevrolet, a 1953 Chrysler and a 1954 Dodge, each of which will haul 12 passengers including the driver. It is planned to operate 13 schedules per day from Whittier, each of which will stop at Huntington Park, and 10 additional schedules from Huntington Park. One of the partners of this applicant has been in the trucking business for sixteen years and, more recently, in the airport limousine business for the past eight years, five of which were spent in the employ of Mr. Britton, one of the applicants in Application No. 38911.

The fares proposed to be charged are basically \$2.50 one-way from Whittier to the airport and \$1.50 from Huntington Park to the airport.

This applicant conducted a survey as to the needs for hauling from Whittier and Huntington Park and presented the results of this survey in the form of two groups of letters which were received in evidence. These disclosed that many commercial and industrial plants in both areas desire a limousine service to the airport. Likewise, travel agencies have indicated they have many clients who desire such a service.

In Application No. 38936, Mercury International Transit Company, a California corporation, proposes to operate between Santa Ana and the International Airport via Lakewood and Long Beach.

Additionally it proposes an alternate route between Santa Ana and the airport to be used on an "on-call" basis, and likewise "on-call" service to the Lockheed Air Terminal at Burbank.

It proposes to operate 10 schedules per day between Santa Ana and the International Airport via Lakewood and Long Beach, and additionally 10 schedules from Huntington Park. The rates to be charged are set out in Exhibit C and are basically \$3.75 one-way from Santa Ana to the International Airport, \$2.50 from the Long Beach Airport to the International Airport, \$2.50 from Lakewood to the International Airport, and \$1.50 from Huntington Park to the International Airport. Additional rates are proposed for service to Lockheed Air Terminal.

It is proposed to operate Chrysler Windsor-type sedans converted to 12-passenger capacity, and it is anticipated that five of these will be purchased initially at a cost of approximately \$30,000.

This applicant made a survey of the needs of the area and, in addition, presented public witnesses from various commercial and industrial companies indicating a desire for limousine transportation to the airport.

A review of all of the evidence on this consolidated record leads us to the conclusion and we now find that public convenience and necessity require the establishment of passenger stage service between Santa Ana and Anaheim and the International Airport, and between Whittier and Huntington Park and the International Airport. On this record there were numerous public witnesses who testified as to this need including representatives of commercial and industrial establishments, travel bureaus and civic groups. It is also clear from this record that there is no comparable existing service. At

the present time, from these points, there is available for airport passengers taxicabs, sightseeing busses, some helicopter service and private automobiles. However, there is no direct limousine transportation such as is presently available from certain Los Angeles points to the International Airport.

It is also clear that the only applicant who proposes to serve Whittier and Huntington Park directly is the Airport Stages in Application No. 38935. While it is true that the Mercury International Transit Company proposes service to Huntington Park, the route it proposes would be via Lakewood and Long Beach.

Both Mercury International Transit Company and Airport Coach Service offer a proposed service from the Santa Ana area to the International Airport. The evidence on this record indicates, and we now find, that it would not be economically sound to permit both operations at this time. There is a public need for some service but there is not a sufficient public need to justify two operators.

In considering the merits of these two applicants, we are impressed by the fact that Airport Coach Service proposes a direct route to the airport whereas Mercury International Transit Company proposes a roundabout route via Lakewood and the Long Beach Airport. It was the contention of this last-named company that there was a need for service to the Long Beach Airport. However, the evidence in this record indicates a predominant need for service to the International Airport. While it is true that Mercury offers an alternate route to the International Airport on an "on-call" basis, we are of the opinion and now find that the need is for a regular scheduled service.

As to the proposals to furnish service to the Lockheed Air Terminal in Burbank, there is no compelling evidence in this record supporting such proposals. The only time such service would be used

would be when weather conditions do not permit flights to land or to take off from International Airport. While, under those conditions, an additional limousine service between the two airports might prove beneficial to some passengers, this record does not disclose a sufficient need therefor to warrant the authorization of such a service

There was some controversy as to the financial ability of the applicants. On this record we find that each of the three applicants is qualified to conduct the proposed service. Likewise, there was some testimony as to whether or not any of the proposed operations would be profitable during the first few months. It is obvious that this is a business risk which in no way can be guaranteed by this Commission.

Therefore, in the light of all of the evidence adduced in these proceedings we find that a certificate of public convenience and necessity should be issued to Eric Ross and W. P. Stephenson, doing business as Airport Stages, between Whittier and Huntington Park, California, and the International Airport, over the routes and subject to the restrictions hereinafter set out. We further find that a certificate of public convenience and necessity should be issued to D. W. Boyles and J. R. Britton, doing business as Airport Coach Service, to conduct a passenger stage operation between Santa Ana and Anaheim and the International Airport over the routes and subject to the restrictions hereinafter set out. The application of Mercury International Transit Company will be denied.

O R D E R

Public hearings having been held, the Commission being fully advised in the premises and having found that public convenience and necessity so require,

IT IS ORDERED:

1. That a certificate of public convenience and necessity is granted to D. W. Boyles and J. R. Britton, a partnership, doing business as Airport Coach Service, authorizing them to operate as a passenger stage corporation as that term is defined in Section 226 of the Public Utilities Code for the transportation of persons and their baggage or express between the points and over the routes more particularly set forth in Appendix A attached hereto and made a part hereof.

2. That a certificate of public convenience and necessity is granted to Eric Ross and W. P. Stephenson, doing business as Airport Stages, authorizing them to establish and operate as a passenger stage corporation as that term is defined in Section 226 of the Public Utilities Code for the transportation of persons and their baggage or express between the points and over the routes more particularly set forth in Appendix B attached hereto and made a part hereof.

3. That in providing service pursuant to the certificates herein granted there shall be compliance with the following service regulations:

- (a) Within thirty days after the effective date hereof, each applicant shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, each applicant is placed on notice that he will be required, among other things, to file annual reports of his operations and to comply with and observe the safety rules and other regulations of the

Commission's General Order No. 98, and provide insurance protection as required by General Order No. 101. 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 and General Order No. 101, may result in a cancellation of the operating authority granted by this decision.

- (b) Within sixty days after the effective date hereof, and on not less than five days' notice to the Commission and the public, each 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 Los Angeles, California, this 30th day of July, 1957.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]
Commissioners

D. W. Boyles and J. R. Britton, a partnership, doing business as Airport Coach Service, by the certificate of public convenience and necessity granted in the above-numbered decision, is authorized to transport passengers, their baggage and express between Santa Ana and Anaheim, on the one hand, and the Los Angeles International Airport, on the other hand, over and along the routes and within the areas hereinbelow described, subject, however, to the authority of this Commission to change or modify said routes at any time and subject to the following restrictions:

- (a) Applicant shall transport only passengers destined to or originating at the Los Angeles International Airport.
- (b) Applicant shall not pick up or discharge any passengers except at Santa Ana and Anaheim and the Los Angeles International Airport.

Route

Commencing at the Santa Ana Hotel on Main and Sixth Streets in Santa Ana, thence via Sixth Street, North Sycamore Street, Church Street, Main Street, the Santa Ana Freeway, Ball Road, and West Street to Disneyland Hotel in Anaheim; thence via West Street, Ball Road, Santa Ana Freeway, Artesia Avenue, 174th Street, Crenshaw Boulevard, and Century Boulevard to the Los Angeles International Airport and reverse of said route.

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.

End of Appendix A

Issued by California Public Utilities Commission.

Decision No. 55327, Application No. 38911.

Eric Ross and W. P. Stephenson, a partnership, doing business as Airport Stages, by the certificate of public convenience and necessity granted in the above-numbered decision, is authorized to transport passengers, their baggage and express between Whittier and Huntington Park, on the one hand, and the Los Angeles International Airport, on the other hand, over and along the routes and within the area hereinbelow described, subject, however, to the authority of this Commission to change or modify said routes at any time, and subject to the following restrictions:

- (a) Applicant shall transport only passengers destined to or originating at the Los Angeles International Airport.
- (b) Applicant shall not pick up or discharge any passengers except at Whittier, Huntington Park and the Los Angeles International Airport.

Route

Commencing at the William Penn Hotel at Whittier, thence via Philadelphia Street, Friend Street, Penn Street, Greenleaf Avenue, Whittier Boulevard, Washington Avenue, Rosemead Boulevard, Slauson Avenue, Gage Avenue, Garfield Avenue, Florence Avenue to the Greyhound Bus Depot at Huntington Park; thence via Florence Avenue, Manchester Avenue and Airport Boulevard to the Los Angeles International Airport and reverse of said route.

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.

End of Appendix B

Issued by California Public Utilities Commission.

Decision No. 55227, Application No. 38935.