

Decision No. 56315

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of SOUTHLAND BUS LINES, INC.)
for authority to operate a passenger)
stage service between Santa Ana,)
Anaheim, Garden Grove, Long Beach)
and Harbor City on the one hand; and)
Marineland of the Pacific Oceanarium)
on the other hand.)

Application No. 39342

In the Matter of the Application of)
DOMINIC MANNINO, doing business as)
M & M Charter Lines, to operate passen-)
ger bus sightseeing service to points of)
interest in Long Beach - From Long)
Beach to Mission San Juan Capistrano,)
Knott's Berry Farm, Marineland and San)
Pedro, and from San Pedro to Los Angeles)
Coliseum events.)

Application No. 39519

William D. Bourne for Southland Bus Lines, Inc., in Application No. 39342, protestant in Application No. 39519; George M. Stephenson for M & M Charter Lines, in Application No. 39519, protestant in Application No. 39342; Gordon, Knapp and Gill, by Joseph C. Gill, for Tanner Motor Tours, Ltd., protestant in Application No. 39519; James H. Lyons for Metropolitan Coach Lines, protestant in Application No. 39342; Daniel T. Shelley for Wilmington Bus Co., John Munholland for Long Beach Motor Bus Company, Henry E. Jordan for Bureau of Franchises and Utilities, City of Long Beach, Wahlfred Jacobson and Leslie E. Still for City of Long Beach, interested parties; Fred G. Ballenger for the Commission's staff.

O P I N I O N

The above-entitled matters were consolidated for public hearing and decision. The hearing having been held in Long Beach, California, before Examiner Mark V. Chiesa, and evidence, oral and documentary, having been adduced, the matters were submitted for decision.

APPLICATION NO. 39342

Southland Bus Lines, Inc., a corporation, is now operating a bus service between Long Beach, Los Alamitos, Knott's Berry Farm, and Disneyland. Applicant also renders a school bus service to and from several schools situated in Orange County, all as more specifically set forth in Decisions Nos. 53943, 53974, 54462 and 54749.

By this application authority is sought to establish and operate a passenger stage sightseeing service between Santa Ana and the Marineland of the Pacific Oceanarium situated on the Palos Verdes Peninsula, serving also the intermediate points of Disneyland in Anaheim, Garden Grove, Long Beach and Harbor City. Applicant proposes to commence operating one scheduled round trip per week on Sundays.

The proposed fares, exclusive of tax, are as follows:

Between Marineland of the Pacific Oceanarium And:				
	OW - Adult	RT	OW - Child	RT
Harbor City	\$.60	\$1.10	\$.30	\$.60
Long Beach	1.00	1.77	.50	.90
Garden Grove	1.14	2.04	.60	1.10
Anaheim	1.27	2.27	.64	1.14
Santa Ana	1.50	2.68	.77	1.32

Children 5 through 11 pay child fare. Children under 5 not occupying a seat to the exclusion of another passenger ride free; those occupying seat to the exclusion of another passenger pay child's fare.

The proposed Sunday schedule is as follows:

Westbound - Read Down		Eastbound - Read Up	
12:00 noon	..... Lv. Santa Ana	Ar.	6:50 p.m.
12:20 p.m.	..... Lv. Anaheim	Ar.	6:30 p.m.
	(Disneyland)		
12:30 p.m.	..... Lv. Garden Grove	Ar.	6:20 p.m.
1:00 p.m.	..... Lv. Long Beach	Ar.	5:50 p.m.
1:20 p.m.	..... Lv. Harbor City	Ar.	5:30 p.m.
1:50 p.m.	..... Ar. Marineland	Lv.	5:00 p.m.

Authority for the establishment of an "on-call" service for a minimum of 20 passengers is also requested. However, the record shows that this type service could be operated profitably for a minimum of 15 round-trip fares.

Applicant will use a GM intercity-type passenger bus.

Metropolitan Coach Lines has protested service along a portion of the proposed route between Santa Ana and Disneyland. Protestant does not, however, operate any service to Marineland. Protestant's position is that passengers should use its service between Santa Ana and Disneyland and transfer there to applicant's bus. In the opinion of the Commission such transfer would be an unnecessary inconvenience to the public without materially benefiting protestant. No local service between intermediate points is proposed.

Dominic Mannino, doing business as M & M Charter Lines, is protesting applicant's proposed service from the City of Long Beach. This protestant is also proposing a service between Long Beach and the Marineland Oceanarium. Applicant's service is weekly, its proposed point of pickup in the City of Long Beach is at the Greyhound Depot, 226 East 1st Street at 1:00 p.m., returning at 5:50 p.m., and its proposed round-trip fare is \$1.77 plus tax. Protestant proposes a daily schedule with points of pickup at the Wilton and Lafayette Hotels, leaving at approximately 9:00 a.m., returning at 5:00 p.m. His proposed fare is \$2.50 plus tax. Each applicant is protesting the other's application to serve between Long Beach and the Oceanarium. The proposed services are only partially competitive. Southland Bus Lines, Inc., has several other points from which it would derive business; on the other hand, M & M Charter service is offering a more frequent service over a different route and at a time of day which would not conflict with the other schedule.

Several witnesses representing hotels, tourist bureaus, and the City of Long Beach testified that there is a need for both services.

APPLICATION NO. 39519

Dominic Mannino, doing business as M & M Charter Lines, is now operating a race track bus service between San Pedro and Hollywood Park and Santa Anita race tracks, and also between Redondo Beach and Santa Anita race track, as more specifically set forth in Decisions Nos. 50042, 50400 and 54244.

By this application authority is sought to establish round-trip sightseeing tours between Long Beach on the one hand, and (1) points and places in the vicinity of Long Beach, (2) the Marineland of the Pacific Oceanarium, (3) San Juan Capistrano and Knott's Berry Farm, on the other hand, and it is also proposed to operate bus service (4) between San Pedro and the Los Angeles Coliseum when major events are held there.

Proposed fares and schedules are as follows:

Long Beach and Harbor Tour (Tour #100)

\$2.25 plus tax - Daily at Noon.

Long Beach-Capistrano-Knott's Berry Farm (Tour #101)

\$3.25 plus tax. Daily 9:00 a.m.

Long Beach-Marineland Oceanarium (Tour #102)

\$2.50 plus tax. Daily at 9:00 a.m.

San Pedro-Los Angeles Coliseum

\$2.00 plus tax. 1½ hours before scheduled event.

Applicant proposes to use intercity-type buses.

That portion of the application pertaining to service between Long Beach and the Marineland Oceanarium is protested by Southland Bus Lines, Inc., as hereinabove set forth, on the grounds

that it would be competitive with the latter's proposal to serve the said facility.

The proposed Long Beach-San Juan Capistrano-Knott's Berry Farm service is protested by Tanner Motor Tours, Ltd., and Southland Bus Lines, Inc. Both protestants now have certificates between Long Beach and Knott's Berry Farm, and the former (Tanner) also operates extensive sightseeing tours throughout Southern California including trips to Capistrano. As applicant failed to show a public need for this proposal, it is not deemed necessary to further consider the respective protests.

The proposed tour in the vicinity of Long Beach will include Alamitos Bay, Los Cerritos Ranch House and Pierpoint Landing. This service is not protested and the evidence shows that it would serve the public convenience and necessity.

Applicant's San Pedro-Coliseum service would provide a direct transportation service to Coliseum events which is not now available. There is no protest to this service and the record shows that it would serve the public convenience and necessity.

Having considered the respective protests in the light of the record, the Commission is of the opinion that the protest of Metropolitan Coach Lines is not justified and that evidence is lacking in support of applicant Mannino's request to establish Tour No. 101. The Commission is of the opinion and finds that public convenience and necessity require that the applicants establish and operate passenger stage services as hereinafter set forth.

O R D E R

A public hearing 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 be and it hereby is granted to Southland Bus Lines, Inc., a corporation, authorizing the establishment and operation of a service as a passenger stage corporation, as that term is defined in Section 226 of the Public Utilities Code, for the transportation of persons between the points and along the routes as set forth in Appendix A, attached hereto and made a part hereof, subject to the limitations or restrictions, if any, as set forth in said Appendix A.

(2) That a certificate of public convenience and necessity be and it hereby is granted to Dominic Mannino, doing business as M & M Charter Lines, authorizing the establishment and operation of a service as a passenger stage corporation, as that term is defined in Section 226 of the Public Utilities Code, for the transportation of persons between the points and along the routes as set forth in Appendix B, attached hereto and made a part hereof, subject to the limitations or restrictions, if any, as set forth in said Appendix B.

(3) That in providing service pursuant to the certificates herein granted, Southland Bus Lines, Inc., and Dominic Mannino, doing business as M & M Charter Lines, shall each comply 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. By accepting the certificate of public convenience and necessity herein granted, applicants are placed on notice that they will be required, among other things, to file annual reports of their 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 on not less than five days' notice to the Commission and to the public, applicants shall establish the service herein authorized and file in triplicate, and concurrently make effective, appropriate tariffs and timetables.

(4) That, except as hereinabove authorized in paragraph (2), Application No. 39519 be, and it hereby is, denied.

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

Dated at Los Angeles, California, this 3rd day of MARCH 1958.

W. E. Mitchell President
Ray G. Hutcherson
Walter D. Cook
E. Lynn Fox

Commissioners

Southland Bus Lines, Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport persons for sightseeing between Santa Ana and the Marineland of the Pacific Oceanarium situated on the Palos Verdes Peninsula, and including only the following intermediate points: Disneyland (in Anaheim), Garden Grove, Long Beach, and Harbor City, subject to the following conditions:

- a. All passengers must be destined to the Marineland Oceanarium and applicant shall not transport any passenger locally within or between any of the points and places authorized to be served.
- b. A minimum of one trip shall be operated each Sunday, and additional service shall be provided throughout the year on an "on-call" basis for a minimum of 15 adult round-trip fares.
- c. Passengers shall be picked up or discharged, in accordance with local traffic rules, at or near the intersections or points listed in the application.

ROUTE:

Commencing at the intersection of Third and Spurgeon in the City of Santa Ana, thence along Third Street, Main Street, Santa Ana Freeway, Harbor Boulevard, Ball Road, West Street, Garden Grove Boulevard, Seventh Street, Alamitos Avenue, Ocean Boulevard, American Avenue, Pacific Coast Highway, Western Avenue, Palos Verdes Drive North, Palos Verdes Drive East and Palos Verdes Drive South to Marineland Oceanarium.

Return from Marineland Oceanarium along reverse of above route to intersection of Pacific Coast Highway and Pine Avenue, thence along Pine Avenue, Ocean Boulevard, alleyway between Locust and American Avenues, First Street, Alamitos Avenue, Seventh Street, Garden Grove Boulevard, West Street, Ball Road, Santa Ana Freeway, Broadway, Fifth Street and Spurgeon to intersection of Third and Spurgeon in City of Santa Ana.

End of Appendix A

Issued by California Public Utilities Commission.

Decision No. 56315, Application No. 39342.

Dominic Mannino, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport persons (1) between San Pedro, on the one hand, and the Los Angeles Coliseum, on the other hand, (2) between Long Beach, on the one hand, and Marineland of the Pacific Oceanarium, on the other hand, and (3) between Long Beach, Los Alamitos Bay, Los Cerritos Ranch House and Pierpoint Landing, subject to the following conditions:

- a. Transportation herein authorized between San Pedro and the Los Angeles Coliseum shall be rendered only for persons desiring to attend Coliseum events.
- b. Transportation herein authorized between Long Beach and other points as in parts (2) and (3) hereinabove shall be rendered as a sightseeing service and only on a round-trip basis.
- c. Passengers shall be picked up or discharged in accordance with local traffic rules, at or near the intersections or points listed in the application.

ROUTES:

San Pedro-Los Angeles Coliseum

Via the most appropriate and direct route.

Long Beach-Marineland Oceanarium - Tour #102

Beginning at the Wilton and Lafayette hotels in the City of Long Beach, thence to American Avenue, thence along American Avenue, Anaheim Street, Alameda Street, B Street, San Pedro-Wilmington Road, Harbor Boulevard, Sampson Way, 22d Street, Gaffey Street, Paseo del Mar, Western Avenue, 25th Street and Palos Verdes Drive South to Marineland; returning east on Palos Verdes Drive South, thence along Western Avenue, Palos Verdes Drive North, Anaheim Street, American Avenue to termini at hotels.

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By Decision No. 56315, Application No. 39519.

ROUTES (Continued)

Long Beach and Vicinity - Tour #100

Beginning at Lafayette and Wilton hotels in the City of Long Beach, thence along Ocean Boulevard, Livingston Drive and Second Street to Alamitos Bay and Naples, thence west on Pacific Coast Highway to Lakewood Boulevard, thence along Willow Street, Long Beach Boulevard, Virginia Road to Los Cerritos Ranch House, thence along Virginia Road, Long Beach Boulevard, Willow Street, Long Beach Freeway, Pico to Pierpoint Landing; thence along Pico Avenue and Ocean Boulevard to termini at hotels.

End of Appendix B

Issued by California Public Utilities Commission.

Decision No. 56315, Application No. 39519.