

ORIGINAL

Decision No. 57164

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SOUTHLAND BUS LINES, INC., for authority to abandon certain portions of its Routes A and B, and to extend Routes A and B into downtown Anaheim.

) Application No. 39468

Application of SOUTHLAND BUS LINES, INC., for alternate to Routes A and B to provide school service for St. Bartholomew students living in Rossmore Tract.

) Application No. 39731

William D. Bourne for applicant.
James Carson for Cross Town Bus Lines; James H. Lyons, Dale Harlan, and Musick, Peeler and Garrett, by Jesse Robert O'Malley, for Los Angeles Metropolitan Transit Authority, protestants.
George Meinhardt, Arthur Paysen and James Black, for the City of Westminster, interested party.
W.F. Hibbard for the Commission staff.

O P I N I O N

A public hearing was held on Application No. 39468 on December 18, 1957, and a further hearing on said application, consolidated with a hearing on Application No. 39731, was held on June 5, 1958. Both hearings were held in Anaheim before Examiner Kent C. Rogers. Prior to each hearing notices thereof were posted in applicant's stages and terminals as required by this Commission.

Southland Bus Lines, Inc., hereinafter referred to as applicant, provides regular passenger stage service between

Long Beach, Knott's Berry Farm, West Anaheim, Disneyland, Garden Grove and intermediate points via a route which separates at Los Alamitos with alternate buses going clockwise and counterclockwise around the loop. There are four schedules around the loop in each direction. It also renders school bus service to and from certain parochial schools in Orange County, a sight-seeing service between Santa Ana and the Pacific Oceanarium located at Palos Verdes and carries limited weight and size express parcels. Its existing authorities are set forth in Decisions Nos. 53943, 53974, 54462, 54749, and 56315.

Application No. 39468

By the application, as amended, applicant requests:

(1) Authority to abandon service commencing at the intersection of Lincoln Avenue and Stanton Avenue via Lincoln Avenue and Brookhurst Avenue to Katella Avenue in West Anaheim.

(2) Authority to abandon service on Western Avenue between La Palma Avenue and Crescent Avenue.

(3) Authority to extend service along Crescent Avenue between Knott Avenue and Western Avenue.

(4) Authority to extend the service along Katella Avenue between Brookhurst Avenue and Stanton Avenue for use as an alternate route in connection with service between Disneyland and Long Beach.

(5) Authority to extend service from the intersection of Lincoln Avenue and Stanton Avenue via Stanton Avenue, Ball Road, Euclid Avenue, Crescent Avenue, Loara Street, Loara Frontage Road, Center Street, Lemon Avenue, Santa Ana Avenue, Walnut Avenue, Ball Road and West Street to the entrance to Disneyland.

(6) Relief from the long- and short-haul provisions of Article XII, Section 21 of the California Constitution and Section 460 of the Public Utilities Code.

The evidence herein shows that applicant's proposed abandonment of service along Western Avenue between La Palma and Crescent Avenue in Buena Plaza is not adverse to the public interest and that the extension of service along Crescent Avenue between Knott Avenue and Western Avenue in the same area, and the extension of service along Katella Avenue between Stanton Avenue and Brookhurst Avenue would serve the public convenience and necessity. These changes are relative to service by extra coaches between Disneyland, Knott's Berry Farm and Long Beach, and they will be authorized.

There were no protests to such service and such changes will require no additional expense or equipment.

Applicant also proposes to abandon service along Lincoln Avenue between Stanton Avenue and Brookhurst Avenue and along Brookhurst Avenue between Lincoln Avenue and Katella Avenue. In lieu of said routes applicant proposes to extend service 2-1/2 miles into the Broadway Shopping Center in Anaheim and downtown Anaheim via the route set forth in request (5) supra.

Applicant states it has received many requests for service to the Broadway Shopping Center and to the business district of Anaheim from persons residing on or near its present route east of Long Beach. The record also reflects that there are several subdivisions and apartments in the vicinity of Ball Road between

Stanton Avenue and Euclid Avenue and near Walnut Avenue along the proposed extension. A representative of the Anaheim Chamber of Commerce appeared in support of the proposed extensions and reroutings. He stated that the Chamber of Commerce received at least four petitions in 1957 for service along Ball Road as proposed by applicant and also has received hundreds of telephone calls requesting such service.

A check by applicant during the week of December 1 to 7, 1957, of all passengers using its buses along Lincoln Avenue and Brookhurst Avenue between the intersection of Lincoln Avenue and Stanton Avenue and the intersection of Katella Avenue and Brookhurst Avenue, excluding those intersections and the intersection of Ball Road and Brookhurst Avenue, which intersections would continue to receive service under the proposal, showed that a total of 22 passengers boarded and 25 passengers alighted in the area during said week on all 10 schedules. This is slightly under 7 passengers per day, or less than one passenger per trip. There are approximately 20 passenger stops on the route to be abandoned.

Applicant's existing fares were established by Decision No. 55650 dated May 6, 1958, in Application No. 38960. They vary from 20 cents to 85 cents, including tax, depending on the number of zones traversed. Applicant proposes to amend its tariff to include service between Long Beach, downtown Anaheim, and the Broadway Shopping Center, such service to be at existing fares. The Anaheim and Broadway Shopping Center areas, for tariff purposes, will extend north and east from the intersection of Euclid Avenue

and Ball Road on the west and the intersection of Ball Road and West Street on the south. The fare will be 20 cents in this area and 85 cents, including tax, to Long Beach.

Applicant's loop-type of operation would not legally be possible or factually feasible without relief from the long- and short-haul provisions of the Constitution and the Public Utilities Code. Such authority has heretofore been granted as to certain operations, with the exception that such relief was denied to the community of Stanton which is in the vicinity of the intersection of Stanton Avenue and Katella Avenue. At the time such relief was granted applicant's route was through Stanton in each direction (Decision No. 53943 dated October 16, 1956, in Application No. 37808). The said exception is no longer pertinent. We find that the requested relief is justified and applicant will be relieved from the said long- and short-haul provisions of the Constitution and of the Code.

Applicant will require no additional equipment to render the proposed service, and its schedules will remain approximately as at present.

The new operation will decrease applicant's revenue by approximately \$3.50 per day, assuming that each passenger pays an average fare of 50 cents, as stated by applicant's witness, and will increase the daily mileage by 25 miles at a cost to it of 10 cents per mile, or \$2.50 per day. Applicant estimated it will meet and recoup the added expense and cost through new customers, based on the number of requests it has had for the proposed service.

Los Angeles Metropolitan Transit Authority, hereinafter referred to as Metropolitan, and Crosstown Bus Lines, hereinafter referred to as Crosstown, protested the granting of the requested authority without certain restrictions.

Crosstown

Crosstown operates a service between Knott's Berry Farm and downtown Anaheim, charging 20 cents for such service, which is rendered 5 days per week only and with only two schedules per day. It is requested that two restrictions be imposed, one of which would prohibit applicant from serving between Knott's Berry Farm, on the one hand, and any part of Anaheim east of the Santa Ana Freeway except the Broadway Shopping Center, on the other hand, and the other of which would prevent applicant from carrying local passengers in the Anaheim area. Applicant's fare for the Knott's Berry Farm — Anaheim service would be 40 cents, and it would operate five schedules in each direction per day, plus service on Saturday and Sunday. We are of the opinion, as stated by one of applicant's witnesses, that applicant's schedule would provide poor service but it would be better than no service. No reason exists why the five-schedule service seven days per week should be refused in favor of a two-trip five-day-per-week schedule, and the requested restrictions will not be imposed.

Metropolitan

Metropolitan provides service between Long Beach, Knott's Berry Farm, Anaheim and Disneyland, and carries an estimated 200

passengers per month between Long Beach and Disneyland. Approximately seven trips each direction on week days are made, with additional trips on Sundays. The fare is 87 cents, plus tax, and a trip requires approximately 1-1/2 hours as compared with applicant's 1-hour and 15-minute schedule, as service is into Santa Ana from Long Beach and from there into Disneyland and Knott's Berry Farm (see Exhibits 5A and 6A). It also provides some local service in Anaheim via its Los Angeles-to-Santa Ana stages at a fare of 17 cents. It has 4 schedules each week day to Knott's Berry Farm from Anaheim. Approximately 22 schedules per day are operated by it between Disneyland and Anaheim. It proposed that applicant's services be restricted as follows:

Restriction No. 1 No passengers will be carried between the City of Long Beach and a portion of the City of Anaheim northeasterly of the Santa Ana Freeway.

Restriction No. 2 No passengers will be carried locally between the intersection of Katella Avenue and West Street and that portion of the City of Anaheim northeasterly of the Santa Ana Freeway except that passengers may be carried between Disneyland and any bus stop at the Broadway Shopping Center, which is bounded by the Santa Ana Freeway, Euclid Avenue, and Loara Frontage Road.

The only testimony to show that Restriction No. 1 above is required is the testimony of Metropolitan's witness that approximately 200 passengers per month are carried between Long Beach and Disneyland, which number obviously is less than protestant could carry with the number of schedules it operates. On the other hand applicant's support for service to Anaheim and the shopping center was from the Chamber of Commerce of Anaheim and

people in Orange County desiring to go to Anaheim and the Broadway Shopping Center. Restriction No. 1 is reasonable and will be imposed.

Restriction No. 2 is not required and will not be imposed. The only place in which the routes are sufficiently close to cause a conflict is along Lemon Street between Center Street and Santa Ana Street, and West Street between Katella Avenue and Ball Road. The record here reflects a need for the proposed service between points on Walnut Avenue and points north of the Santa Ana Freeway.

Applicant will use its existing 51-passenger buses in rendering the proposed service.

We find that public convenience and necessity require the establishment and operation of the proposed service subject to the restriction set forth in the order herein, and that the proposed abandonments of service are not adverse to the public interest.

Application No. 39731

The western portion of applicant's route is from downtown Long Beach along 7th Street and Garden Grove Boulevard to Los Alamitos Boulevard. By the above-numbered application applicant seeks authority to deviate from the existing route on a morning schedule toward Long Beach and an afternoon schedule from Long Beach. This deviation in the morning will be to pick up school children and others in the Rossmore Tract, located west of Los Alamitos Boulevard, an added distance of 3/4 of a mile, and to

deliver them to the St. Bartholomew School located south of 7th Street in Long Beach, an added distance of 1/2 mile. This would be done by diverting one of applicant's regular passenger-stage schedules so that the bus would pass through the Rossmore Tract at 8:15 a.m. and arrive at the school at 8:30 a.m. In the afternoon the reverse operation would take place on a schedule from Long Beach leaving the school at 3:15 p.m. and arriving in Rossmore at 3:33 p.m. The deviation to serve the Catholic school would be on school days only. The deviation to serve Rossmore Tract would be daily on the one schedule.

The reason for the application is to provide transportation for children in the 8th grade or under attending St. Bartholomew School. Applicant has no school fare established at present to or from this school. The established general fares would appear to be required. Under applicant's filed tariff the rate would be one-half the adult fare, or 15 cents one way. The evidence shows that the school is new to the extent that at present there are children in the first four grades only, and one grade will be added each year. In the Spring of 1958 there were 36 children from the Rossmore Tract attending the school, and it is estimated that there will be 50 children from the tract to this school in the Fall of 1958.

Approximately 22 parents appeared in support of the request. The consensus of opinion appears to be that it is dangerous for youngsters to cross 7th Street in Long Beach and the railroad track between 7th Street and the school, and that it is

too far for the children to walk from the Rossmore Tract to Los Alamitos Boulevard.

The applicant's president testified that the number of school children referred to is not sufficient to warrant a separate school bus which costs \$550 a month to operate. If the applicant carried 50 children 5 days per week at existing fares, the gross revenue would be 30 cents per day per child, or on commuter's children's fares, \$1.35 per month. This would make approximately \$280 per month in gross revenues from children's fares. The applicant is unwilling to take a loss in order to inaugurate this service.

From passenger counts taken on January 8, 9, and 10 on the existing schedules it appears that 4 to 5 people per day rode toward Long Beach on a portion of the route involved, and that approximately 9 passengers per day use the bus over that portion of this route from Long Beach in the afternoon. This application will be denied. Applicant is an experienced school bus operator; he has stand-by buses, and the entire operation would not require over 45 minutes in the morning and 45 minutes in the afternoon using special school buses. No reason has been shown why applicant's regular customers should be disaccommodated to permit a special service for children which applicant will establish by school buses when he secures enough customers.

O R D E R

Applications therefor having been filed, public hearings having been held thereon, and based upon the evidence and findings set forth in the foregoing opinion,

IT IS ORDERED:

(1) That Application No. 39731 be, and it hereby is, denied.

(2) That First Revised Page 1 of Appendix A of Decision No. 54462, dated January 29, 1957, in Application No. 37803, Second Revised Page 3 of Appendix A, and First Revised Page 5 of Appendix A, in Decision No. 54749, dated March 26, 1957, in Application No. 38692 be, and they hereby are, canceled, and Second Revised Page 1, Third Revised Page 3 and Second Revised Page 5, on the forms set forth in Appendix A attached hereto, are substituted in lieu thereof.

(3) That in providing service pursuant to the authority herein granted applicant shall comply with and observe the following service regulations:

(a) Within 30 days after the effective date hereof applicant shall file a written acceptance of the certificate herein granted.

(b) Within 60 days after the effective date hereof, and on not less than 10 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.

(4) That applicant is hereby relieved from the long- and short-haul provisions of Article XII, Section 21, of the Constitution of the State of California and of Section 460 of the Public Utilities Code.

(5) That notice to the public of the rerouting extension and discontinuance of service as authorized herein shall be posted in all vehicles used in providing a regular passenger service for at least 10 days next preceding the establishment and discontinuance of such service.

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

Dated at San Francisco California,
this 12th day of August, 1958.

L. Leo Fox
President
W. E. Miller
Ray E. Gardner
W. H. Doolittle

Commissioners

Commissioner Theodore H. Jenner, being necessarily absent, did not participate in the disposition of this proceeding.

Appendix A Southland Bus Lines, Inc.

2nd Revised Page 1

Cancel

1st Revised Page 1

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Southland Bus Lines, Inc., by the certificates of public convenience and necessity granted by 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 shall be transported between any two points which are both east of Pacific Electric Railway 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.

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No passengers shall be transported between the City of Long Beach on the one hand, and any portion of the City of Anaheim northeasterly of the Santa Ana Freeway on the other hand.

* Indicates deletion.

** Indicates addition.

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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 regulations.

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

** Applicant is authorized to depart from the provisions of Article XII, Section 21 of the Constitution of the State of California and Section 460 of the Public Utilities Code to the extent necessary.

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:

** Indicates addition.

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Route A between Los Alamitos and Disneyland
(Anaheim via Knott's Berry Farm)

From the intersection of Katella Avenue and Los Alamitos Boulevard; thence along Los Alamitos Boulevard, Norwalk Boulevard, Carson Street, Lincoln Avenue, Miller Street, Crescent Avenue, Knott Avenue, La Palma Avenue, Grand Avenue to Knott's Berry Farm, then return over Grand Avenue to State Highway 39 and along State Highway 39, Stanton Avenue, Ball Road, Euclid Avenue, Crescent Avenue, Loara Street, Loara Frontage Road, Center Street, Lemon Avenue, Santa Ana Avenue, Walnut Avenue, Ball Road and West Street to the south-most westerly exit from Disneyland. Return from westerly exit from Disneyland along West Street and reverse of the above route.

Route A may be combined with Route B of Appendix A for the purpose of operating a loop service.

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On-Call Service Route Between
Long Beach and Knott's Berry Farm

Commencing at the intersection of First Street and American Avenue in the City of Long Beach, thence along American Avenue, Sixth Street, California Avenue, Seventh Street, Garden Grove Boulevard, Stanton Avenue, State Highway 39 and Grand Avenue to Knott's Berry Farm. Return along reverse of route to California Avenue, thence along Seventh Street and American Avenue to First Street in Long Beach.

On-Call Service Route between
Long Beach and Disneyland

Commencing at the intersection of First Street and American Avenue in the City of Long Beach, thence along American Avenue, Sixth Street, California Avenue, Seventh Street, Garden Grove Boulevard, Los Alamitos Boulevard, Katella Avenue to the southerly entrance to Disneyland. Return from northernmost westerly exit from Disneyland, thence along reverse of route to California Avenue, thence along Seventh Street and American Avenue to First Street.

Alternate Route A - Knott's Berry Farm

Along Crescent Avenue between Knott Avenue and Grand Avenue, also along Grand Avenue between Crescent Avenue and Knott's Berry Farm.

Alternate Route B for Express Service

Along Garden Grove Boulevard between Los Alamitos Boulevard and Euclid Avenue.

Alternate Route B - Los Alamitos Naval Air Station

Commencing at the intersection of Katella Avenue and Noel Street, thence along Noel Street, Farquhar Avenue and Lexington Drive to Katella Avenue.

End of Appendix A

Issued by California Public Utilities Commission.

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