

64085

Decision No. _____

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of LONG BEACH MOTOR BUS COMPANY to re-route and consolidate certain of its existing routes for a certificate of public convenience and necessity covering such routes in lieu of the existing certificate covering the present routes and for authority to change schedules and frequency of service and for authority to file new tariffs as to school fares.

Application No. 41963

John Mumholland, for applicant.
Gerald Desmond, City Attorney, by Edward T. Bennett, Deputy, for the City of Long Beach; and Joseph E. Madden, for Park Avenue Residents; petitioners.
Davis Howard Battin, for Ximeno Neighborhood League, interested party.
Hugh N. Orr and Wm. F. Hibbard, for the Commission staff.

SECOND SUPPLEMENTAL OPINION

By Decision No. 63239, the Commission, among other things, changed that portion of the route of Line No. 12 - East Fourth Street-Seal Beach from Ximeno Avenue, between Fourth Street and Second Street, by extending the route easterly along Fourth Street to Park Avenue, a distance of four blocks, thence southerly along Park Avenue between Fourth Street and Second Street. In other words, Line No. 12 was removed from Ximeno Avenue to Park Avenue. On Line No. 12, along said portion of the route, applicant operates 156 schedules daily, Monday through Friday.

By petitions filed on February 26, 1962, the City of Long Beach and residents along Park Avenue requested a reconsideration of the routing along Park Avenue, the City contending that

its prior proposal for operation of Line No. 12 and Line No. 11 along Redondo Avenue instead of Ximeno Avenue and/or Park Avenue is a better plan, and the Park Avenue Residents objecting to bus operations on Park Avenue because of noise, vibrations and traffic congestion caused by buses. Residents of Ximeno Avenue appeared as interested parties, objecting to present bus operations along Ximeno Avenue on the same grounds as the residents of Park Avenue.

On March 27, 1962, the Commission granted a rehearing on said petitions, and on April 3, 1962, it ordered the operative effect of said decision stayed pending further Commission order. Pursuant thereto, a public hearing was held in Long Beach on April 13, 1962, before Commissioner George G. Grover and Examiner Mark V. Chiesa. Oral and documentary evidence having been adduced, the matter was submitted for decision.

The evidence shows, and we find, that there is no substantial difference, from the standpoint of street conditions and bus operation, between Ximeno Avenue and Park Avenue, between Fourth and Second Streets. Both streets are 36 feet between curbs and are residential in character, although Ximeno has several small commercial establishments at some of the intersections. The paving conditions are similar, each having minor dips and a somewhat uneven contour. There is very little choice between the two streets from the standpoint of practical bus operation, and each is adequate for such purpose.

We must determine how Lines Nos. 11 and 12 should be operated in this area most conveniently for the general public, realizing that there may be some objectionable feature of such operation no matter which streets are used.

The suggestion of the City, supported by the residents along Ximeno Avenue, that Lines Nos. 11 and 12 should be routed over Redondo Avenue instead of Ximeno Avenue as at present was considered by us in the prior proceedings and has been reconsidered. We see no reason to change said lines in this respect. The principal justification for such change would be the width of Redondo Avenue, between Fourth and Second Streets, which is 60 feet between curbs. There is insufficient evidence of public convenience and necessity to justify such rerouting, notwithstanding the desire of residents along Ximeno and Park Avenues to route said lines along other streets. There is testimony, and we find, that because of long-standing travel patterns on Line No. 12 along Fourth Street and on Line No. 11 along Broadway, patronage would suffer, with consequent further decrease in revenue. Furthermore, such a change would entirely eliminate applicant's service along Ximeno Avenue between Fourth and Second Streets, and patrons in the Belmont Shore or Naples areas desiring to go to the Lakewood area would be inconvenienced by having to travel from Ximeno Avenue to Redondo Avenue and back to Ximeno Avenue again, an additional distance of approximately 1.25 miles.

At present there are 326 schedules daily, Monday through Friday, operating along Ximeno Avenue between Fourth Street and Broadway, a distance of four major blocks. On Park Avenue, between Third Street and Broadway, 62 schedules of Line No. 13 are operated Monday through Friday. The latter line operates in this area along Third Street easterly to Park Avenue, southerly to Broadway (two blocks), thence easterly along Broadway to its

terminus at Bay Shore Avenue and Second Street. The record shows that the area within the boundaries of Fourth Street, Applan Way, Nieto Avenue, Broadway, and Ximeno Avenue would be better served by Line No. 13 if it were routed easterly to Nieto Avenue instead of Park Avenue, and thence southerly on Nieto Avenue to Broadway. There was no objection to this minor rerouting of Line No. 13 and it is favored by the City. Such rerouting would eliminate 62 of the schedules now operated along Park Avenue, between Third and Second Streets, and the extension of Line No. 12 to Park Avenue would add 156 schedules, or a net increase of 94 schedules for a full day's operations. As a result, the schedules along Ximeno Avenue would be reduced from the present 326 to 170.

The Commission, having carefully considered the evidence in this and the related prior proceedings, is of the opinion and finds that public convenience and necessity require that Line No. 12 be operated along the route set forth in Appendix A of Decision No. 63239, and therefore said decision is hereby affirmed. We also find that public convenience and necessity require that a portion of the route on Line No. 13 be changed as hereinabove described.

SECOND SUPPLEMENTAL ORDER

A public rehearing having been held, and based upon the evidence therein adduced,

IT IS ORDERED that:

1. The order, which stayed the operative effect of Decision No. 63239, dated April 3, 1962, in Application No. 41963, hereby

is rescinded, as of the effective date of this order.

2. Decision No. 63239 hereby is affirmed and shall become effective on the effective date of this order.

3. Long Beach Motor Bus Company, a corporation, shall change Route No. 13, between the intersection of Third Street and Park Avenue and the intersection of Broadway and Nieto Avenue, to operate along Third Street and Nieto Avenue instead of Park Avenue and Broadway, and Appendix A of Decision No. 60787 is hereby further amended by incorporating therein Second Revised Page 23 attached hereto and hereby made a part hereof, in revision of First Revised Page 23.

4. Long Beach Motor Bus Company shall, within sixty days after the effective date hereof, and on not less than five days' notice to the Commission and to the public, amend its tariff and time schedules to reflect such changes in routes of Lines Nos. 12 and 13.

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

Dated at San Francisco, California, this 7th day of AUGUST, 1962.

George G. Hoover
President

Charles J. ...

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Frederick B. Hillhoff
Commissioners

Section 2. (Continued)

ROUTE NO. 13 - PACIFIC AVENUE - EAST THIRD STREET

Beginning at the intersection of Willow Street and Pacific Avenue, thence along Pacific Avenue, Fourth Street through the City of Long Beach, Alamitos Avenue, Third Street, Nieto Avenue, Broadway, Bayshore Avenue, Second Street, Claremont Avenue, The Toledo and Santa Ana Avenue to Braodway.

Also, beginning at the intersection of Third Street and Alamitos Avenue, thence along Alamitos Avenue, Third Street and Pacific Avenue to Fourth Street.

Issued by California Public Utilities Commission.

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Decision No. _____, Application No. 41963.