

HFS

Decision No. 13114
4614

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SAN DIEGO ELECTRIC RAILWAY COMPANY,)
a corporation, for permission to) Application No. 9095.
discontinue service on and abandon)
certain lines of street railway in)
the city of San Diego.)

R. G. Dilworth, for applicant.
Robert Brennan for The Atchison, Topeka & Santa Fe
Railway Company.
S. J. Higgins, City Attorney, by Stanley T. Howe,
Deputy, for the City of San Diego.
Wright & McKee, by Dempster McKee, for the La Jolla
Stage Line.
Norman Smith for the Navy Department.
S. Carder Smith in propria persona, and for certain
residents of Ocean Beach, Old Town and La Playa.

BY THE COMMISSION:

OPINION

San Diego Electric Railway Company, a corporation, has petitioned the Railroad Commission for an order authorizing the abandonment of street railway service on its so-called Point Loma Street Railway Line between the intersection of Rosecrans Street with Macaulay Street and the intersection of Voltaire Street with Bacon Street; to abandon service by street railway and remove its tracks on the so-called Old Town Street Railway Line between the intersection of Ivy and State Streets and the intersection of Mason and Calhoun Streets, it being proposed to substitute automobile bus service over the portion of the Old Town Line herein

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proposed to be abandoned. Applicant proposes to construct a new line of railway to serve Ocean Beach and Mission Beach, said line commencing at Broadway and Kettner Boulevard, along Kettner Boulevard to Hancock Street, along Hancock Street to a point between Bandini and Coutts Streets, running thence across private right of way and crossing the tracks of The Atchison, Topeka & Santa Fe Railway Company and Witherby Street, thence continuing along private right of way to West Point Loma Boulevard and Bacon Street and thence along West Point Loma Boulevard to and along Mission Boulevard to and along Allison Street, thence over private right of way crossing La Jolla Boulevard to Electric Avenue, thence over private right of way to Fay Avenue, thence along and upon said Fay Avenue to the end of proposed line at the intersection of Fay Avenue and Prospect Street, La Jolla.

Public hearings were conducted by Examiner Handford at San Diego, the matter was duly submitted and is now ready for decision.

The application originally proposed the abandonment of the portion of the Point Loma Line extending from Wright and Hancock Streets along Hancock and Tide Streets, thence along Tide Street to Layton Street, thence along Layton Street to Rosecrans Street and to the end of the line in La Playa, substituting bus service therefor. At the first hearing the application was amended by eliminating this proposed abandonment of street railway service and substitution of bus service and the street railway service will continue over this portion of the applicant's system.

The Commission in its Decision No. 6836 on Applications No. 3808 and 5009 of the San Diego Electric Railway Company, . . .

and Applications Nos. 3808 and 3809 of the Point Loma Railroad Company, made its order following an exhaustive investigation into the operative conditions of the respective companies. The order in the above proceedings contained the following, which has a material bearing on the issues presented by the application in this proceeding:

"1. In the matter of service and operation. (b) Authority is not given at this time for the abandonment of service and the taking up of track on any of the lines enumerated by the San Diego Electric Railway Company in Application No. 5009, and further proof that such abandonment is justified should be submitted by applicant after the other economies and changes authorized in this order have been put into effect."

It appears from the evidence and exhibits herein that the proposed abandonment of the Old Town Line, and the substitution of automobile bus service thereover, is in accordance with the order of the Commission as contained in its Decision No. 6836 above mentioned. It appears that the present Old Town Line is in such condition that rehabilitation of the track should be immediately undertaken and it is estimated by applicant that an expenditure of \$118,950. will be required to accomplish such work. The record of receipts and expenditures and traffic conditions on the Old Town Line as obtained from exhibits filed by applicant shows the following data:

	<u>1920</u>	<u>1921</u>	<u>1922</u>	<u>Jan. to June inclusive, 1923.</u>
Total Revenue	\$ 40,081.10	\$ 24,294.17	\$ 29,306.15	\$14,943.14
Operating Expenses	31,756.69	20,667.46	24,667.46	11,983.16
Depreciation	14,291.85	8,502.00	9,838.39	4,897.00
Taxes	2,058.80	1,761.33	2,135.78	1,083.37
Total Expense	\$ 48,107.34	\$ 30,930.79	\$ 36,641.63	\$17,963.53
Deficit	8,026.24	6,636.62	6,772.44	3,020.39
Revenue, passengers carried	679,601	451,031	515,256	291,739

It is apparent from the losses in the operation of the Old Town Line for the periods above shown that there has been no amount available for return on the investment and there does not appear any evidence indicating increased traffic or justifying the continuance of operation if a rehabilitation expenditure of \$118,950.00 is necessary ~~and~~ to bring the track up to a proper standard. The applicant proposes to install a motor bus system to care for the needs of the public heretofore served by the street car line and to extend the motor bus operation beyond the present terminal at Mason and Calhoun Streets to the Hardy Packing Plant, thereby serving the transportation needs of an industry at present operating a private bus service for the accomodation of its employees. No changes or increases in fare are to be made and patrons of the proposed motor bus service would be accorded all transfer privileges now enjoyed by the present street car service. We are of the opinion, based upon a careful review and consideration of the evidence and exhibits herein, and hereby find as a fact that the record justifies the proposed abandonment of the so-called Old Town Line and the substitution of a motor bus service in lieu thereof.

The application, as amended at one of the hearings, requests authority for the abandonment of trackage commencing at the intersection of Rosecrans and Macaulay Streets, thence along said Macaulay Street to a point near Willow Street, thence in a northerly direction, partially over private right of way, to a point on Voltaire Street near the intersection of Voltaire and San Clemente Streets, thence on Voltaire Street to its intersection with Bacon Street.

It is proposed to abandon the trackage and rail service over the above described route but to establish in lieu thereof a

motor bus service between the intersection of Bacon and Voltaire Streets along Voltaire Street to its intersection with San Clemente Street. Patrons heretofore using the route of the former Point Loma Railway between San Diego and this portion of Ocean Beach would use the bus line to the Bacon and Voltaire Street junction and there transfer to and from the high speed cars of the new Ocean Beach-Mission Beach Line now being constructed from San Diego. The track mileage proposed to be abandoned is approximately two miles and practically all of the traffic heretofore enjoyed from its operation has originated in the territory between Bacon and Voltaire Streets and San Clemente and Voltaire Streets which it is proposed to care for by the establishment of the motor bus service connecting at Bacon and Voltaire Streets with the cars of the new high speed line now under construction. A brief review of operating results on the Ocean Beach Line, under present routing and as abstracted from exhibits filed at the hearing, follows:

	<u>1 9 2 0</u>	<u>1 9 2 1</u>	<u>1 9 2 2</u>	Jan. to June Inclusive, <u>1 9 2 3</u>
Operating Income	\$102,100.76	\$107,853.06	\$104,248.61	\$44,462.78
Operating Expenses	63,629.91	67,674.08	70,571.70	33,639.62
Depreciation	15,225.36	15,889.77	15,240.28	9,129.59
Taxes	7,402.30	7,819.34	7,558.02	3,223.55
Total Expense	<u>\$86,257.57</u>	<u>\$91,383.19</u>	<u>\$93,370.00</u>	<u>\$45,992.76</u>
Net Income	\$15,843.19	\$16,469.87	\$10,878.61	\$ 1,529.98*

NOTE: (*) indicates deficit.

Revenue Passengers carried	1,128,404	1,223,151	1,196,082	576,106
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It appears from the record that the present physical condition of the portion of the Ocean Beach Line herein proposed to be abandoned is such that its rehabilitation is necessary at an estimated expenditure of \$125,000. The line between Macaulay and

Rosecrans Streets and Bacon and Voltaire Streets is open track construction and for its principal portion is on a paved street. Proceedings are now pending before the City Council of San Diego to require the entire paving of Voltaire Street for its full width and although the applicant would not be required to defray any of the cost of paving (having been relieved from such obligation by vote of the electors of the City of San Diego) it would be necessary to rehabilitate the existing tracks with a permanent type of construction for paved streets, necessitating an estimated expenditure of \$100,000. If the service is to be continued over the present route between Ocean Beach and San Diego, the portion of the line between Rosecrans and Macaulay Streets and Chatsworth Boulevard will require reconstruction at an estimated expense of \$25,000.

It is proposed to suspend street car operation and abandon and remove approximately 2.12 miles of track. It is proposed to substitute motor bus service over all but .83 miles of such route, or the trackage between the intersection of Rosecrans and Macaulay Streets and Voltaire and San Clemente Streets. Traffic checks show the portion of the line between Rosecrans and Macaulay Streets and Bacon and Voltaire Streets to be lightly patronized and the district between Rosecrans and Macaulay Streets and Chatsworth Boulevard, a distance of .83 mile to furnish practically no traffic. The establishment of the proposed motor bus service in lieu of street car service, and the considerable rehabilitation expense necessary to continue the street car service, will adequately care for the majority of the patrons now using the line, at Bacon and Voltaire Streets in that connection will be made/with the car service to be operated on the new high speed line now under construction between San Diego, Ocean Beach and Mission Beach. The operation of the new high speed

line will reduce the time consumed between its terminus at State Street and Broadway and Bacon and Voltaire Streets by reason of approximately 75 per cent of the distance being over private right of way and the distance traversed being 1.48 miles less than the present routing of the Ocean Beach Line as originally constructed by the Point Loma Railroad and as acquired and now operated by the applicant.

There was some protest offered to the proposed abandonment of rail service and substitution of bus service to care for the portion of the line which has heretofore been productive of traffic, but the record shows that the objections of the protestants have been reasonably met by the facilities to be offered and the shortening of the scheduled time between the Ocean Beach section and the business district of the City of San Diego. Objection was made by a resident of the section between Rosecrans and Macaulay Streets and Chatsworth Boulevard, where track and service abandonment is proposed and no substituted service is offered. This is a section of track operated over private right of way and through a sparsely settled territory producing practically no traffic and where the elimination of the unprofitable service will require a walk not exceeding four-tenths of a mile for the few patrons now served by the section of track proposed to be abandoned, and for whom the substitution of motor bus service will not be available.

After careful consideration of all the evidence and exhibits in this proceeding we are of the opinion that the applicant has justified the granting of the application, subject to the conditions as set forth in the following order.

O R D E R

San Diego Electric Railway Company, a corporation, having applied to the Railroad Commission for an order authorizing the discontinuance of service and abandonment of certain lines of its street railway system in the City of San Diego, ^{public hearings having been held} the matter having been duly submitted and the Commission being now fully advised and basing its Order on the statements of fact as appearing in the Opinion which precedes this Order.

IT IS HEREBY ORDERED that applicant, San Diego Electric Railway Company, be and it hereby is authorized to suspend street car service and abandon and remove its tracks and appurtenances on the so-called Old Town Line in the City of San Diego as heretofore given over the following route:

From the intersection of State and Ivy Streets, thence on Ivy Street to its intersection with India Street, thence on India Street to its intersection with Pierce Street, thence on Pierce Street to its intersection with California Street, thence on California Street to its intersection with La Jolla Avenue, thence on La Jolla Avenue to the south line of Witherby Street, thence on the extension of India Street and over private right of way and along Couts Street to the south line of Mason Street.

Provided, however, that the suspension of service, abandonment and removal of trackage shall not be made until said applicant will have placed in regular operation in lieu of the street railway service herein authorized discontinued a motor bus service over the following described route:

Commencing at the intersection of India and B Streets, thence along India Street to E Street, thence along E Street to Third Street, thence along Third Street to B Street, thence along B Street to India Street, thence along India Street to Pierce Street, thence on Pierce Street to California Street, thence along California Street to La Jolla Avenue, thence on La Jolla Avenue to San Diego Avenue, thence on San Diego Avenue to Taylor Street, thence on Taylor Street to Moreno

Boulevard, thence on Moreno Boulevard to a point between Buenos Avenue and Cushman Avenue.

And provided further, that the removal of tracks herein authorized shall be completed within ninety (90) days from the date of suspension of street car operation as hereinbefore authorized, the restoration of the streets from which the tracks are to be removed to be made in a manner satisfactory to the City Engineer of the City of San Diego.

IT IS HEREBY FURTHER ORDERED that applicant, San Diego Electric Railway Company, be and it hereby is authorized to suspend street car service and to abandon and remove its tracks and appurtenances on the so-called Ocean Beach Line in the City of San Diego as heretofore operated over the following route:

Between the intersection of Rosecrans Street with Macanlay Street and the intersection of Voltaire Street with Bacon Street.

provided, however, that the suspension of service, abandonment and removal of tracks and appurtenances shall not be made until said applicant will have placed in regular operation in lieu of the street railway service herein authorized the new high speed railway service between Ocean Beach and Broadway and Kettner Boulevard and have placed in regular operation a motor bus service over the following described route:

From the intersection of Bacon and Voltaire Streets easterly on Voltaire Street to Chatsworth Boulevard and southerly on Chatsworth Boulevard to its intersection with Catalina Boulevard.

and provided further, that the removal of tracks and appurtenances herein authorized shall be completed within ninety (90) days from the date of suspension of street car operation as hereinbefore

authorized, the restoration of the streets from which the tracks are to be removed to be made in a manner satisfactory to the City Engineer of the City of San Diego.

Applicant is hereby required to file with this Commission written notification of the establishment of motor bus and connecting street railway service, and of the date upon which the abandonment and removal of tracks and appurtenances is completed, and as regards each of the abandonments hereinabove authorized.

Dated at San Francisco, California, this 4th day of February, 1924.

D. A. Murray

H. B. Burdick

Egerton Shaw

J. Whitley
Commissioners.