Decision No. 17522

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of PACIFIC ELECTRIC RAILWAY COMPANY for authority to abandon service and remove its track on Avenue 64 in the City of Pasadena.

Application No.12768

ORIGINAL

Frank Karr and C.W. Cornell for Applicant,
James H. Howard, City Attorney, and Roscoe R. Hoss, Assistant City Attorney, for City of Pasadena, Protestant,
Waldo, Minds and Lawrence, by G. E. Waldo, for San Rafael Heights Improvement Association,
Wm. R. Myers Company, San Rafael Hills Association, residents and property owners of the San Rafael Heights District and various real estate owners and companies interested in subdividing, improving and selling land in that district.

BY THE COMMISSION -

O P I N I O N

Pacific Electric Railway Company, a corporation, has petitioned the Railroad Commission for an order authorizing the abandonment and removal of that portion of its Annandale Line which is located in the City of Pasadena.

Public hearings on this application were conducted by Examiner Handford at Los Angeles, the matter was duly submitted upon the filing of briefs, and is now ready for decision.

The portion of track, herein proposed to be abandoned, is located in the City of Pasadena and is described as follows:

"That certain single track beginning at the intersection of the present constructed single track of the Pacific Electric Railway on Avenue 64 with the southerly city limits of the City of Pasadena; thence northerly along Avenue 64, a distance of approximately 3993.5 feet to the end of said track."

The track herein proposed to be abandoned is more fully shown in yellow color on a blueprint map marked "C.E. H. 9684", as attached to and forming a part of the application herein.

Applicant alleges as justification for the granting of the application the following facts: that there is not sufficient patronage on said line to justify its continued operation; that

the City of Pasadena has under way street improvement proceedings on Avenue 64, which would require, if the operation of the line is to be continued, an expenditure in excess of $47,000 for repairs, paving and reconstruction; that applicant does not believe that there is any proppect of sufficient patronage to justify further operation and the cost of the reconstruction incidental to the paving program; that public convenience and necessity does not exist for the further use and maintenance of the line; and that the continued use thereof is no longer necessary for the conduct of the business of applicant.

The application contains a statement of the passengers carried and the revenue derived therefrom for the period August 1, 1925, to March 31, 1926, inclusive, the revenue being apportioned on the basis of a five cent fare for each passenger carried, said statement being as follows:

Month	Passengers Carried	Passenger Revenue
August, 1925	416	$20.80
September "	446	22.30
October "	417	20.85
November "	481	24.05
December "	395	19.75
January, 1926	452	22.60
February, "	460	23.00
March "	523	26.15

Mr. H. O. Marler, Assistant Traffic Manager of applicant, testified that the line herein proposed to be abandoned was operated from the junction of Robles Avenue on the South Pasadena Line along Avenue 64 to its terminus, a one man car being operated, furnishing hourly service for nineteen round trips daily.

Exhibits filed at the hearings and covering a travel check during the period March 11th to March 31,1926, inclusive, show the travel on Avenue 64 to be as follows:

Outbound - To Annandale

Trips	Total Passengers Carried	Passengers carried over portion of line in Pasadena
56 daily	2526	210

Inbound - From Annandale

56 daily	1489	161

Checks of passengers carried for the period August 1, 1925, to May 31, 1926, inclusive, show the following data:

Passengers carried between Adelaide Place and Annandale -

Outbound	Inbound
2736	2049

Travel check for the period April 1st to May 31, 1926, inclusive, shows the following data:

	Between Robles Avenue and Adelaide Place	Between Adelaide Place and Annandale
Outbound	7721	650
Inbound	4438	554
Totals -	12159	1204

The track mileage herein proposed to be abandoned is approximately seventy-six hundredths of a mile. The record shows the average cost of operation of the type of one-man cars as used on this line to be 24.21 cents per car mile.

Nineteen round trips daily are operated over the portion of the line proposed to be abandoned or a daily mileage of 14.44. Using the above cost per car mile the daily expense of operation amounts to $8.50.

The rate of fare from the intersection of Robles Avenue and Avenue 64 to the end of the line is six cents and in the exhibits presented five cents per passenger was allowed as the revenue to be apportioned to the part of the line proposed to be abandoned.

It is apparent that the earnings of the line, for which abandonment is sought, have been materially less than the cost of operation, as will be more fully shown by the following tabulation, based on data heretofore outlined -

Month	Passengers Carried	Revenue	Cost of Operation	Deficit
August,1925	416	$ 20.80	$ 108.50	$ 87.70
September,1925	446	22.30	105.00	82.70
October,1925	417	20.85	108.50	87.65
November,1925	481	24.05	105.00	80.50
December,1925	395	19.75	108.50	88.75
January,1926	452	22.60	108.50	85.90
February,1926	460	23.00	98.00	75.00
March,1926	523	26.15	108.50	82.35
April,1926	590	29.50	105.00	75.50
May,1926	614	30.70	108.50	77.80

The granting of the application is protested by the City of Pasadena, San Rafael Heights Improvement Association, Wm. R. Myers Company, San Rafael Hills Association, residents and property owners of the San Rafael Heights District, and various real estate owners and companies interested in land sale and subdivision in the territory served by the car line.

We have fully considered the evidence, exhibits and briefs in this proceeding. The record shows that this matter has heretofore been the subject of an application for abandonment before this Commission in Application No. 2369, such application requesting abandonment of the entire line from the intersection of Robles Avenue and Avenue 64 to the end of the line. The former proceeding was dismissed without prejudice at the request of the applicant by this Commission's Decision No. 3919, dated December 11, 1916.

It is apparent from the record, as hereinabove discussed, that the operation of the railroad line herein proposed to be abandoned has been conducted at a substantial deficit; that the revenue received has not met the cost of operation, nor provided any return on the value of the property; and that the required expenditure of approximately $47,000 for rehabilitation of track and paving rendered necessary by the paving improvement on Avenue 64 is not justified and would further burden the patrons of applicant's system in meeting the expense already required in the maintenance of this unprofitable line of applicant's railway system.

On the record herein we can find no justification for the expenditure of approximately $47,000 for track rehabilitation and paving, such expenditure being necessary if the rail operation is to be continued and being required by the paving program now in progress on Avenue 64 in the City of Pasadena. We, therefore, are of the opinion that this application for abandonment should be granted, and the order will so provide.

O R D E R

Public hearings having been held in the above entitled proceeding, the matter having been duly submitted following the filing of briefs, the Commission being now fully advised and basing its order on the statements and finding of fact as set forth in the opinion which precedes this order,

IT IS HEREBY ORDERED that applicant Pacific Electric Railway Company, a corporation, be and the same hereby is authorized to discontinue service and abandon and remove its railroad track and appurtenances on Avenue 64 in the City of Pasadena from the southerly city limits of said city to the end of the line, a distance of approximately 3993 feet, said trackage being more fully shown in yellow color on a blue print map marked "C. E. H. 9684" as attached to and forming a part of the application herein.

For all purposes, other than hereinabove stated, the effective date of this order is hereby fixed as twenty (20) days from the date hereof.

Dated at San Francisco, California, this 25th day of October, 1926.

Commissioners

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