

Decision No. 18983

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of Key System Transit Company, a corporation, to abandon its motor bus service now operating over a route commencing at 6th Street and University Avenue, running thence along 6th Street to Gilman Street, thence east on Gilman Street to and across San Pablo Avenue, and return, and intermediate points, in the City of Berkeley, County of Alameda, State of California.

Application No. 13947.

Brobeck, Phleger and Harrison, by Frank S. Richards, for Applicant.

E. J. Sinclair, City Attorney, for the City of Berkeley.

SEAVEY COMMISSIONER:

O P I N I O N

In this proceeding Key System Transit Company, a corporation, requests permission to abandon its motor bus service now operating between 6th Street and University Avenue and Gilman Street and San Pablo Avenue, a distance of 1.25 miles, running only along 6th Street and Gilman Street, all in the City of Berkeley, County of Alameda, State of California.

A public hearing was held in this matter in Berkeley, on September 23rd, 1927.

The motor bus proposed herein to be abandoned was placed in operation under authority of a resolution passed by the City of Berkeley (Resolution No. 13296 N.S.) and adopted January 25th, 1924. May 17th, 1927, the City passed a resolution (No. 15861 N.S.), which authorized the curtailment of service on this motor bus line. Prior

to the reduction of service, the bus was operated through the day; thereafter service was discontinued between the hours of 8:40 A.M. and 2:57 P.M., after 6:40 P.M. and no service on Sundays and legal holidays.

The applicant sets forth the following reasons for the abandonment of this motor bus line: (1) That the estimated annual cash receipts to be received from the operation of said bus line are \$1,137. and the estimated cost of such operation for the same period of time is \$5,536, or the annual costs exceed the annual receipts by \$4,399; (2) That the applicant is not earning a fair return on its property as a whole; (3) That neither public convenience nor necessity require the continued operation of the line; (4) That it would be unfair to require your applicant and patrons of other lines to sustain such a loss; and (5) That to require the continued operation of this service would deprive your applicant of its property without due or adequate compensation.

An analysis of revenues, car miles operated and passengers carried is shown on the following table:

	<u>Bus Miles</u>	<u>Receipts</u>	<u>Passengers</u>	<u>Receipts Per Bus Mile</u>
1924*	56,025	3,187.12	88,414	5.7 Cents
1925	56,796	3,310.83	96,282	5.8 "
1926	59,478	3,246.74	86,112	5.5 "
1927				
January	4,659	231.11	6,374	4.96 "
February	4,415	245.25	6,680	5.55 "
March	4,837	248.48	6,837	5.16 "
April	4,781	225.14	6,253	4.70 "
May	3,630 [‡]	181.45	5,237	5.00 "
June	1,682	104.65	2,997	6.22 "
July	1,708	98.18	2,922	5.74 "
August	1,804	116.75	3,551	6.47 "

* Operation started February 6th, 1924.

[‡] New schedule effective May 21st, 1927.

The analysis of the cost of operation under the present schedule shows that the cost to operate said bus line is approximately 29 cents per bus mile, as against a revenue of from 5 to 6 cents per bus mile.

It was testified that on many trips no passengers were carried and furthermore many of the passengers leaving the street car at a transfer point would walk to their destination instead of using the bus. This is largely due to the proximity of the bus and car line, as the bus line on 6th Street runs parallel to the car line on San Pablo Avenue and these two are only six short blocks apart. The territory served by the bus line on 6th Street is largely industrial in character.

The only objection raised against the abandonment of this service was voiced in behalf of the school children living adjacent to 6th Street. It was contended that transportation was necessary to convey these children to school, particularly during the winter or rainy season. This objection is not sufficient to warrant the continuance of this service at a substantial loss to a company already in financial straits, especially in view of the fact that the school district may where necessary, furnish transportation to such children, when public transportation facilities are not available.

It appears, from the record in this proceeding, that public convenience and necessity does not justify the continuance of the operation of the 6th Street motor bus line; therefore, the following form of order is recommended:

ORDER

Key System Transit Company, a corporation, having applied to the Railroad Commission for an order authorizing the discontinuance of service on its 6th Street motor bus line in the City of Berkeley, California, a public hearing having been held, the matter having been duly submitted and being now ready for decision; therefore,

IT IS HEREBY ORDERED that applicant, Key System Transit Company, a corporation, be and the same is hereby authorized to discontinue the maintenance and operation of its 6th Street motor bus line, operating from the intersection of University Avenue and 6th Street northerly along 6th Street to Gilman Street, thence easterly

along Gilman Street to San Pablo Avenue and return via the same route.

The discontinuance of service herein authorized shall not become effective until applicant will have given five (5) days notice to the traveling public by publishing notices of the date of discontinuance in a newspaper of general circulation in the City of Berkeley and by posting notice of the date of discontinuance in all motor busses operated on the 6th Street motor bus line.

Applicant is hereby further required to cancel all tariffs and timetables now filed with this Commission, covering fares and schedules, now applicable to the 6th Street motor coach line, such cancellation to be made in accordance with the provisions of this Commission's Tariff Circular No. 2 and other regulations of this Commission.

For all other purposes, the effective date of this order shall be twenty (20) days from and after the date hereof.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 3d day
~~of~~ November, 1927.

Erwin Scott

Chas. Seaman

Leon Whitell

Thos. J. Patten

M. A. Chen

Commissioners.