

Decision No. 18088.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 KEY SYSTEM TRANSIT COMPANY, a corpora-
 tion, for authority to re-route its
 motor-bus service now operating, commenc-
 ing at Monterey Avenue and The Alameda,
 running thence along The Alameda to
 Tacoma Avenue; thence along Tacoma
 Avenue to Colusa Avenue; thence along
 Colusa Avenue to Fairmont Avenue, and
 intermediate points, returning over
 the same route to Capistrano Avenue,
 thence along Capistrano Avenue to The
 Alameda, and along The Alameda to the
 point of beginning, and intermediate
 points, in the Counties of Alameda and
 Contra Costa, State of California.

ORIGINAL

Application No. 13,948.

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 re-route its motor bus line serving the Thousand Oaks District, a portion of the North Brae District of Berkeley and the district in the vicinity of the Sunset View Cemetery located in an unincorporated portion of Contra Costa County, all of which is shown in applicant's Exhibit No. 1.

A public hearing was held in this matter in Berkeley,

on September 23, 1927.

The bus line under consideration now operates between a connection with the street car lines at the intersection of The Alameda with Monterey Avenue in Berkeley and the Sunset View Cemetery in Contra Costa County via The Alameda, Tacoma Avenue northbound, Capistrano Avenue, southbound, and Colusa Avenue.

It is proposed in the application to extend the southerly terminus of this bus line along The Alameda from Monterey Avenue to Hopkins Street, a distance of about 1,300 feet, to a connection with the Key System transbay line, and to eliminate the northerly portion of the route between Oak View Avenue and the cemetery, a distance of about 2,300 feet. It is also proposed to re-route that portion of the line along The Alameda and Tacoma Avenue between the intersection of The Alameda and Monterey Avenue and the intersection of Colusa and Capistrano Avenues via Marin Avenue, Modoc Street and Colusa Avenue, for the reason that the present bus route along The Alameda from Monterey Avenue to Tacoma Avenue runs along the same street as does applicant's Thousand Oaks Street car line, thereby rendering a duplicate service. Tacoma Avenue and Capistrano Avenue along which the motor busses travel between The Alameda and Colusa Avenue, are narrow, and property owners, through their representative, offered objections against the continued operation on these two streets. The re-routing plan would overcome these objections. That portion of the new route from the intersection of Marin Avenue and The Alameda, along Marin Avenue, Modoc Street and Colusa Avenue to Capistrano Avenue, would be substituted for and would eliminate the parallel common carrier service on The Alameda and would establish service

In a territory now somewhat removed from local transportation. No objection was raised to the re-routing of this portion of the line and it appears that a better service, to the community as a whole, will result if such a plan is effected.

It is proposed by applicant to abandon the northerly portion of the present route between Oak View Avenue and Fairmont Avenue. The Sunset View Cemetery is located at the Fairmont Avenue terminal of this line under present operation. The record shows there is considerable objection to the abandonment of this portion of the route because of the fact that it affords the only means of public transportation to the cemetery. There are now approximately 10,000 burials in the cemetery and furthermore there is being constructed on the cemetery property a mausoleum of substantial size, the first unit of which is nearing completion. There appears to be a considerable number of persons now visiting the cemetery and the number of such visitors will undoubtedly increase in the future, especially after the mausoleum is in service.

In asking for the abandonment of the northerly portion of the line, applicant sets forth that the street is in need of repair, making the cost of maintenance of the motor busses operated thereover excessive, that the present patronage on that portion of the line is light and that if the bus line were to be operated from the present northerly terminus to the proposed Hopkins Street terminal on the south, it would be difficult to maintain its schedule on account of the added distance.

It was developed that the street is not properly maintained between Oak View Avenue and Curry Avenue, especially for a distance of two blocks in the vicinity of Oak View Avenue. From Curry Avenue to Fairmont Avenue the street has been particularly rough but this portion of the road has recently been

put in good condition at the joint expense of Contra Costa County and the Cemetery Association. The existing rough stretches of the road are located in unincorporated territory in Contra Costa County and it appears that the street, after being constructed and improved by the real estate promoters of the district, has never been taken over by the County.

If the motor bus service is to be continued over this portion of its route, the highway should be improved. A representative of the Cemetery Association testified that if the County did not improve the street, the Cemetery Association was willing to put it in good condition.

It was shown that there is very little building development in the district adjacent to this line from Oak View Avenue to Fairmont Avenue; however, considerable business originates at the terminal of the line where two riding academies are located, in addition to the cemetery. Therefore, it would seem that service on this end of the line should be maintained if possible, particularly because of the considerable number of elderly and infirm people who desire to visit the cemetery and who depend upon that transportation.

Applicant requests that the southerly terminal be extended to the intersection of Hopkins Street and The Alameda, so that direct connections can be made with its interurban trains to and from San Francisco. It is contended that the distance is too great to make the run over the entire route discussed, from Fairmont Avenue to Hopkins Street, with one bus and maintain a twenty-minute headway. It appears that there is but little difference between the distance now traveled by the bus and the distance between Fairmont Avenue and Hopkins Street by the proposed route. The one-way length of the present route is approximately 8,300 feet, while the length of

the proposed route is approximately 6,500 feet. By extending the proposed route to Fairmont Avenue, its length would be approximately 8,800 feet or 500 feet longer than the present route.

The Council of the City of Berkeley, by Resolution, passed September 27, 1927, (Resolution No. 16,160 N.S.) stated that it is their opinion that the greatest public interest will be served if the present northerly terminal at Fairmont Avenue be maintained and in the event that the distance is too great to maintain a service to Hopkins Street, that the southerly terminus be maintained at Marin Avenue and The Alameda.

As the proposed route will cross the Southern Pacific Company's electric suburban tracks at Solano Avenue and Colusa Avenue, a contact for San Francisco passengers will be made at that point; therefore, from a standpoint of public convenience and necessity, it is not extremely important that further contact be made with transbay trains at Hopkins Street.

It appears desirable that the line should operate between the present northerly terminus at Fairmont Avenue and Hopkins Street along the route proposed by the applicant; however, in the event that a schedule of twenty-minute headways cannot be maintained between these two termini, by one motor bus, it would seem to be more desirable to shorten the southerly end of the route rather than the northerly end and in that event Marin Avenue and The Alameda would afford a convenient southerly terminus. Colusa Avenue, between the County Line and Curry Street, should be put into good condition and so maintained. It is expected that if Contra Costa County does not make these improvements that the Cemetery Association and other interested parties will improve and maintain this portion of the highway in such condition as will permit of the economical operation.

of this bus line.

The following form of order is recommended:

ORDER

Key System Transit Company, a corporation, having applied to the Commission for an order authorizing the re-routing of its motor bus line, as set forth in the foregoing opinion, 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 it is hereby authorized to re-route its Colusa Avenue Motor Bus Line to a route described as follows:

Beginning at the intersection of Hopkins Street and Josephine Street; thence northerly along Josephine Street to The Alameda; thence northerly along The Alameda to Marin Avenue; thence westerly along Marin Avenue to Modoc Street; thence northerly along Modoc Street to Solano Avenue and Colusa Avenue; thence northwesterly along Colusa Avenue to Fairmont Avenue, the northerly terminus; thence returning by the same route to The Alameda; thence southerly along The Alameda to Hopkins Street; and thence westerly along Hopkins Street to Josephine Street, the point of beginning, partly in the City of Berkeley, Alameda County, and partly in the County of Contra Costa.

The authority herein granted shall be subject to the following conditions:

(1) Applicant shall maintain a twenty-minute headway in performing service over the route authorized.

(2) Service on that portion of the route between Oak View Avenue and Curry Avenue is contingent upon the improvement of Colusa Avenue, within a period of ninety (90) days from the date of this order, to permit of efficient and economical bus operation. If such improvement is not effected, the northerly terminus of the route may be established at Oak View

Avenue. In the event that that portion of the route along Colusa Avenue is improved, as prescribed, and it is found that a twenty-minute headway cannot be maintained over the entire route with one motor bus, applicant may eliminate that portion of the route southerly of the intersection of Marin Avenue or Monterey Avenue and The Alameda.

(3) Applicant shall give not less than five (5) days notice to this Commission, and to the traveling public, by posting notice of re-routing in the motor busses of said Colusa Avenue motor coach line and the cars of the College Avenue street car line.

For all other purposes the effective date of this order shall be 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 2nd day
of ~~November~~ ^{December}, 1927.

Edward C. [Signature]
W. S. [Signature]
Leon [Signature]
Thos. [Signature]
M. A. [Signature]
 Commissioners.