

Decision No. 19814.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the Application of Key System Transit Company, a corporation, for permission to abandon its street car service, franchise and tracks now operated and maintained over the following route: From the intersection of San Pablo and Ashby Avenues along Ashby Avenue to Hillegass Avenue, thence along Hillegass Avenue to Russell Street, thence along Russell Street to the Hotel Claremont, City of Berkeley, Alameda County, and for a Certificate of Public Convenience and Necessity to operate a motor-bus service over said route.

ORIGINAL

Application No. 14,592.

BY THE COMMISSION:

ORDER

This is an application of Key System Transit Company, a corporation, for permission to abandon its street car service, franchise and tracks now operated and maintained over the following route: From the intersection of San Pablo and Ashby Avenues along Ashby Avenue to Hillegass Avenue, thence along Hillegass Avenue to Russell Street, thence along Russell Street to the Hotel Claremont, City of Berkeley, Alameda County, and for a Certificate of Public Convenience and Necessity to operate a motor-bus service over said route.

The City of Berkeley has advised the Commission that it was developed in hearings held before the City Council and from resolutions that those most directly interested in this matter, namely the property owners along the above described route, are in favor of the granting of this application; that such abandonment of street car service and substitution therefor of motor-bus

service along said route would be of benefit to the City at large and therefore it recommends that this application be granted.

Attached to the application and marked Exhibit "A" is an agreement entered into the 10th day of April, 1928, by and between the City of Berkeley and applicant which provides for the discontinuance of the street car service and the substitution therefor of motor-bus service as applied for in this application.

It appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that parties interested are in favor of the abandonment of rail service along the above route and the substitution therefor of motor-bus service and that this application should be granted subject to the conditions hereinafter specified, therefore

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to the Key System Transit Company to abandon its street car service franchise and tracks now operated and maintained over the following route:

Beginning at the intersection of San Pablo and Ashby Avenues along Ashby Avenue to Hillegass Avenue and thence along Hillegass Avenue to Russell Street; thence along Russell Street to the Hotel Claremont, City of Berkeley, Alameda County, California,

and substitute therefor the operation of a passenger motor-bus service, providing, however, that for five (5) days prior to the discontinuance of said street car service and substitution therefor of motor-bus service herein authorized, applicant shall, in all street cars operated along said route, post notices advising the public of discontinuance of street car service and substitution of motor-bus service therefor.

IT IS HEREBY FURTHER ORDERED that a Certificate of Public Convenience and Necessity to operate a motor-bus service be and the same is hereby granted along the following route:

Beginning at the intersection of San Pablo and Ashby Avenues along Ashby Avenue to Hillegass Avenue and thence along Hillegass Avenue to Russell Street; thence along Russell Street to the Hotel Claremont, City of Berkeley, Alameda County, California,

subject to the following conditions:

- 1- Applicant shall file his written acceptance of the certificate herein granted within a period of not to exceed ten (10) days from date hereof.
- 2- Applicant shall file, in duplicate, within a period of not to exceed twenty (20) days from the date hereof, tariff of rates and time schedules, such tariffs of rates and time schedules to be identical with those attached to the application herein, or rates and time schedules satisfactory to the Railroad Commission, and shall commence operation of said service within a period of not to exceed sixty (60) days from the date hereof.
- 3- The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.
- 4- No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 14th day of April, 1928.

Leon White

C. S. Seaver

M. A. Cunn
Commissioners.