

Decision No. 22343

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

EAGLE ROCK CHAMBER OF COMMERCE,  
Complainant,

vs.

LOS ANGELES RAILWAY CORPORATION,  
Defendant.

**ORIGINAL**

Case No. 2566.

Charles A. Butler and G. L. Boltenhouse, for  
complainant.

Gibson, Dunn & Crutcher, by Woodard M. Taylor;  
and H. G. Weeks, for defendant.

BY THE COMMISSION:

O P I N I O N

Complainant is an incorporated association organized to promote civic, economic, educational and social welfare in Eagle Rock community. By complaint filed June 25, 1928, as amended, it is alleged that the practice of defendant in restricting to its main office located at 1060 South Broadway, Los Angeles, the sale of its 30-ride family commutation ticket good for the transportation of passengers between the business section of Los Angeles and Eagle Rock, fails to properly provide for the convenience and necessity of its patrons. Complainant seeks a convenient form of commutation ticket purchasable from conductors on the "E" line.

A public hearing was held before Examiner Geary at Eagle Rock, Los Angeles, February 27, 1930, and the case having

been submitted is now ready for our opinion and order.

Defendant, Los Angeles Railway Corporation, operates as a part of its system a car line known as the "E" line from 12th and Main Streets, through the main business district of Los Angeles via Broadway, thence via Pasadena Avenue, San Fernando Road, Dayton Street, Cypress Avenue, Graselli Avenue, Eagle Rock Boulevard and Colorado Boulevard to Townsend Avenue in Eagle Rock. Under the present fare schedule this line is divided into two zones, the inner zone extending from 12th and Main Streets to the intersection at Avenue 45 and Eagle Rock Boulevard and the second zone extending beyond Avenue 45 through Eagle Rock to the terminus of the "E" line at Townsend Avenue. The intra-zone fare charged by defendant for the transportation of passengers within the inner and second zones is 7 cents (single ride) or four tokens for 25 cents (rate of  $6\frac{1}{4}$  cents per ride) and the fare charged between the inner and second zones is 10 cents (single ride) or 30 rides for \$2.10 (rate of 7 cents per ride); the latter fare obtained through the purchase of a family commutation ticket sold only at the main office of defendant located at 1080 South Broadway. The inter-zone commutation fare is the only fare at issue in this proceeding.

Complainant proposes that a 16-ride commutation ticket in a more simplified form be sold by conductors for \$1.00, in lieu of the present 30-ride ticket now sold for \$2.10 at defendant's main office. The commutation ticket proposed by complainant would reduce the minimum number of rides from 30 to 16, and in addition reduce the rate per ride from 7 cents to  $6\frac{1}{4}$  cents.

The complaint, as developed at the hearing, is based mainly upon the practice of restricting the sale of commutation books to defendant's main office. A number of individuals residing in Eagle Rock testified that due to the inconvenience in

the method of purchasing commutation tickets they were unable conveniently to take advantage of the reduced fare, and they stated that if commutation tickets were sold by conductors on the "E" line or at some place in Eagle Rock they would purchase and use the same.

Defendant testified that the sale of commutation tickets by conductors on its "E" line would not be practical owing to the many operations required to issue the ticket. The present form requires (1) the name of the purchaser on cover, (2) the expiration date on cover, (3) date of sale inside cover, (4) each individual ticket punched to show expiration date, (5) purchaser's name on auditor's slip, and (6) purchaser's signature and names of those entitled to use tickets and their relationship to purchaser, on back of book. The time now required to issue a commutation ticket at defendant's offices in Los Angeles averages from 40 to 60 seconds. Defendant claims that if the present form of commutation tickets were sold by conductors the time required to issue these tickets would slow up the service to an extent that it would require additional cars to handle the same traffic, with the result that the cost of service would be materially increased. It was shown that during the year 1929 a total of 36,857 commutation tickets was sold at defendant's main office covering its six divisions, and of this number 8,468 tickets were for use on the Eagle Rock division. The present commutation ticket is obviously unsuited for issuance by conductors and it is our opinion that the public interest would suffer rather than gain by the confusion and delay which would inevitably result through its sale by conductors. Considering that reduced commutation fares are contingent upon the purchaser complying with certain special conditions not prevalent in other types of fares,

we cannot upon this record require defendant to waive the conditions under which the commutation fares are now sold, nor to shrink its revenue on these reduced rates by providing agencies for their sale in the outlying districts.

The fares of defendant were reviewed by this Commission in Application No. 13323, Decision 19521, March 26, 1928 (51 C.R.C. 383) and an order issued denying an increase from 5 to 7 cents, with four tokens for 25 cents. This decision was reversed by the Federal Courts (29 Fed. (2nd) 140, and 74 L. Ed. (Adv. Op.) 113). Therefore the one-way fares now being collected are those maintained by orders of the courts, and the commutation fares are voluntary reductions by defendant.

A consideration of this record does not warrant a finding that the present practice of defendant in restricting to its main office at 1080 South Broadway the sale of its 30-ride family commutation ticket for the transportation of passengers between Los Angeles and Eagle Rock, fails to properly provide for the necessary convenience of patrons of the "F" line. The complaint should be dismissed.

#### O R D E R

This case having been duly heard and submitted, full investigation of the matters and things involved having been had, and basing this order on the findings of fact and the con-

clusions contained in the opinion which precedes this order,

IT IS HEREBY ORDERED that the above entitled proceeding be and the same is hereby dismissed.

Dated at San Francisco, California, this 16<sup>th</sup>  
day of April, 1930.

C. P. Tenney

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Thos. B. Lott

M. A. Linn  
Commissioners.