

Decision No. 124784.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of EAST BAY MOTOR COACH LINES, LTD., a corporation, for authority to abandon its Melrose Highlands Motor Coach Line in the County of Alameda, State of California.

Application No. 17981.

In the Matter of the Application of EAST BAY MOTOR COACH LINES, LTD., a corporation, for authority to extend and reroute certain of its motor coach lines in the County of Alameda, State of California.

Application No. 18109.

In the Matter of the Application of EAST BAY STREET RAILWAYS, LTD., a corporation, for authority to abandon its 90th Avenue (No. 26) Street Railway Line in the County of Alameda, State of California.

Application No. 18110.

**ORIGINAL**

Brobeck, Phleger and Harrison and Chapman, Trefethen, Richards and Chapman, by Frank S. Richards, for applicants.

C. Stanley Wood, City Attorney, and John W. Collier, Deputy City Attorney, for the City of Oakland.

STEVENOT, COMMISSIONER:

O P I N I O N

East Bay Motor Coach Lines, Ltd., in Application No. 17981 requests permission to abandon its Melrose Highlands Motor Coach Line in the City of Oakland and in Application No. 18109 requests permission to reroute its Seminary Motor Coach Line so as to serve the territory now served by the Melrose Highlands Line, to reroute and extend its Excelsior bus

line so as to serve the territory now served by the Seminary bus line and to reroute its Foothill Boulevard Motor Coach line so as to reach the Fairfax Avenue business district and serve 90th Avenue between Foothill Boulevard and East 14th Street.

In Application No. 18110, East Bay Street Railways, Ltd. requests authority to abandon service on its 90th Avenue Street car line between Foothill Boulevard and East 14th Street, all of which is shown on Exhibits A and B attached to Application No. 18109.

A public hearing was held in this matter in Oakland on May 5, 1932.

The Melrose Highlands bus line, proposed to be abandoned in Application No. 17981, runs along Calaveras Avenue and Mountain Boulevard, between the eastern terminal of the Leona Line (No. 16) of East Bay Street Railways, Ltd. and Keller Avenue, a distance of one and one-half miles and as shown on Exhibit "A" attached to Application No. 17981. This line runs along the northerly side of the Millsmont District with practically no population to the north of the line. The rerouting proposed for the Seminary Avenue line will approximately bisect the Millsmont District and applicant contends will better serve the district. The proposed changed route of the Seminary Avenue bus line will extend northerly along Seminary Avenue from Trenor Street along the east side of Mills College to Hillmont Drive, thence along Hillmont Drive, Edwards Avenue and Greeley Drive to Field Street, thus approximately bisecting the Millsmont District.

Seminary Avenue, between Trenor Street and Hillmont Drive, is rather narrow and near Hillmont Drive has rather sharp curves and steep grades. The Superintendent of Streets of Oakland testified that the City will improve this section of Seminary Avenue in the very near future and ultimately will make a revision of the street alignment and grade of Seminary Avenue

in the vicinity of Hillmont Drive. Furthermore, the City proposes to install street lights at the sharpest curves on Seminary Avenue. These street improvements will greatly facilitate bus operation.

To care for the territory along Trenor Street and 73rd Avenue now served by the Seminary bus line, it is proposed to extend the Excelsior Avenue bus line from its easterly terminus at Hopkins Street and 14th Avenue, along Hopkins Street to Camden Drive, along Camden Drive to Seminary, along Seminary to Trenor Street, along Trenor Street to 73rd Avenue, and along 73rd Avenue to East 14th Street. This extension will not only serve the 73rd Avenue area but will give that area a direct line to North Oakland and Berkeley without transfer and will give this line a total length of approximately seventeen miles.

East Bay Motor Coach Lines, Ltd. (Application No. 18109) proposes to reroute the easterly end of its Foothill Boulevard motor bus line so as to loop around Foothill Boulevard, 96th Avenue, East 14th Street and 90th Avenue, running alternate busses in opposite directions around this loop so as to provide service along 90th Avenue, in lieu of the street car service now rendered by East Bay Street Railways, Ltd. Furthermore it is proposed to extend the westerly terminus of the Foothill Boulevard bus line from Cole Street along Foothill Boulevard to Congress Avenue, thus serving directly the Fairfax business district at the intersection of Fairfax Avenue and Foothill Boulevard.

It is the contention of applicants that the proposed rerouting of their lines will better serve the traveling public and it is expected that increased riding will result therefrom. The granting of these applications was unopposed.

It appears from a review of the record that the proposed changes and service will better meet the public convenience and necessity of the traveling public than the existing routes and it is recommended that the applications be granted.

O R D E R

A public hearing having been held, the matters being under submission and ready for decision,

IT IS HEREBY ORDERED that:

- I. East Bay Motor Coach Lines, Ltd. be and it is hereby authorized to abandon its Melrose Highlands motor bus line (Route No. 61) in the City of Oakland, County of Alameda and described as follows:

"From the intersection of Woodland Avenue and Calavaras Avenue, thence along Calavaras Avenue to Seminary Avenue, thence along Seminary Avenue to Mountain Boulevard, thence along Mountain Boulevard to a point near the intersection of Mountain Boulevard and Anderson Street and return by the same route".

- II. East Bay Street Railways, Ltd. be and it is hereby authorized to abandon its 90th Avenue street car line described as follows:

"Beginning at the intersection of East 14th Street and 90th Avenue, thence along 90th Avenue to Foothill Boulevard and return via the same route".

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA hereby declares that public convenience and necessity require the extension, rerouting and consolidation by the East Bay Motor Coach Lines, Ltd., of the automotive stage service for the transportation of passengers on lines known as Excelsior Avenue, (Route No.57), Foothill Boulevard, (Route No. 55), and

Seminary Avenue, (Route No. 56), in the County of Alameda, over the following described routes:

- A. Excelsior Avenue motor bus line easterly from

the intersection of 14th Avenue and Hopkins Street in the City of Oakland, County of Alameda, and along a route described as follows:

"Along Hopkins Street to 55th Avenue, along 55th Avenue to Camden Street, along Camden Street to Seminary Avenue, along Seminary Avenue to Trenor Street, along Trenor Street to 73rd Avenue, along 73rd Avenue to E. 14th Street, along E. 14th Street to 72nd Avenue, along 72nd Avenue to Orral Street, along Orral Street to 73rd Avenue and return via same route".

- B. Foothill Boulevard motor bus line, amended routes as follows:

"Beginning at Foothill Boulevard and Fairfax Avenue along Foothill Boulevard to Congress Avenue, along Congress Avenue to Ygnacio Avenue, along Ygnacio Avenue to Fairfax Avenue, along Fairfax Avenue to Foothill Boulevard, along Foothill Boulevard to 96th Avenue, along 96th Avenue to E. 14th Street, along E. 14th Street to 90th Avenue, along 90th Avenue to Foothill Boulevard and return via same route".

- C. Seminary Avenue motor bus line from the route now operated over and described as follows:

"Beginning at East 16th Street and Seminary Avenue, along Orion Street to 61st Avenue, along 61st Avenue to E. 14th Street, along E. 14th Street to Seminary Avenue, along Seminary Avenue to Trenor Street, along Trenor Street to 73rd Avenue, along 73rd Avenue to E. 14th Street, along E. 14th Street to 72nd Avenue, along 72nd Avenue to Orral Street, along Orral Street to 73rd Avenue and return via same route".

to the following described route:

"Beginning at E. 16th Street and Seminary Avenue, along E. 16th Street to 61st Avenue, along 61st Avenue to E. 14th Street, along E. 14th Street to Seminary Avenue, along Seminary Avenue to Hillmont Drive, along Hillmont Drive to Edwards Avenue, along Edwards Avenue to Greenly Drive, along Greenly Drive to Field Street and return via same route".

IT IS HEREBY FURTHER ORDERED that a certificate of public convenience and necessity for the extension, rerouting and consolidation of such service is hereby granted to East Bay Motor Coach Lines, Ltd., along the routes hereinbefore described, subject to the following conditions and not otherwise:

- (1) Said certificate of public convenience and necessity shall not become effective until payment has been made by applicant of the fee as prescribed in Section 50 $\frac{1}{2}$  of the Public Utilities Act of the State of California.
- (2) Applicant shall file written acceptance of the certificate herein authorized within a period not to exceed ten (10) days prior to the consolidation of said service.
- (3) Applicant shall file, in duplicate, and make effective within a period not to exceed thirty (30) days from the date hereof, on not less than ten (10) days' notice to the Commission and the public, a tariff or tariffs constructed in accordance with the requirements of the General Orders of the Railroad Commission and containing rates and rules which, in volume and effect, shall be identical with the rates now in force on said routes by applicant.
- (4) Applicant shall file, in duplicate, and make effective within a period not exceeding thirty (30) days from the date hereof, on not less than five (5) days' notice to the Commission and the public, time schedules according to form provided in General Order No. 83, covering the service herein authorized, in a form satisfactory to the Railroad Commission.
- (5) The rights and privileges herein authorized may not be discontinued, sold, leased, transferred or assigned unless written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.
- (6) No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or leased under a contract or agreement on a basis satisfactory to the Railroad Commission.

For all other purposes the effective date of this order shall be ten (10) days from 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 16<sup>th</sup> day of May, 1932.

*C. J. [unclear]*  
*Leon Whipple*  
*M. J. [unclear]*  
*W. B. [unclear]*  
*Fred G. [unclear]*  
Commissioners.