

Decision No. 25710.

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 an in lieu certi-
ficate of public convenience and
necessity.

Application No. 18684.

ORIGINAL

BY THE COMMISSION:

O R D E R

East Bay Motor Coach Lines, Ltd., on January 30, 1933, filed its application seeking an in lieu certificate of public convenience and necessity covering all automotive passenger operations heretofore authorized by the Commission, together with portions of two routes which have been operated without previous certificates. Applicant, on February 24th, requested in addition that the easterly terminal of the No. 76 (Seminary Avenue Route) be extended approximately two blocks so as to better serve that community.

Applicant's motor coach operations are more or less coordinated with those of the East Bay Street Railways, Ltd. The two companies provide the local street transportation service to the East Bay cities in Alameda and Contra Costa Counties. This motor coach operation had its beginning in 1921, when the Traction Division of the Key System Transit Company, predecessor in interest of applicant, began the operation of a motor coach line in the City of Oakland. The bus operation has expanded until now the operations extend over a route distance of approximately sixty miles. There are some seventy-two buses operating in this service.

From time to time applicant, or its predecessor, has secured from the Commission certificates of public convenience and necessity covering the various bus operations. In this proceeding the Commission is asked to issue an in lieu certificate covering applicant's entire bus operation to supersede the various certificates which have heretofore been issued and in addition include two routes which have not heretofore been covered with a certificate from the Commission. The primary purpose of this in lieu certificate is first, to set forth in a single decision all of applicant's certificated operations by routes to replace the various certificated operations that have been granted by numerous decisions by the Commission, which should be a convenience to all interested parties, and second, to permit of a consolidation of applicant's routes into one system, which will permit a more elastic system operation and thereby result in a benefit to both applicant and its patrons.

The following tabulation shows the various routes now operated by applicant and record of certification:

No.	Name of Route	Application No.	Certification	
			Decision No.	Date of Decision
50	Alameda Beaches	14516	20231	9/18/28*
51	Oakland and Alameda	14516	20231	9/18/28
51	Oakland and Alameda	16051	21800	11/15/29
52	Park Street, Alameda	14516	20231	9/18/28
52	Park Street, Alameda	16051	21800	11/15/29
54	35th Avenue	18158	24847	6/ 6/32**
55	Foothill Boulevard	18109	24764	5/16/32
56	Seminary Avenue	18109	24764	5/16/32***
57	Excelsior Avenue	18109	24884	6/13/32
		18109	24764	5/16/32
		17855	24501	2/16/32
		17885	24776	5/16/32

*That part of route on Webster St. from Santa Clara Avenue to Taylor Street not heretofore certificated.

**That part of route on 35th Avenue from Jordan Road to E. 14th Street not heretofore certificated.

***That part of route on Greenly Drive from Field Street to Shone Avenue not heretofore certificated.

No.	Motor Coach Route Name of Route	Certification		
		Application No.	Decision No.	Date of Decision
58	Oakland and Alameda	13489	17925	1/26/27
		13489	17998	2/11/27
		14516	19589	4/13/28
		14516	20231	9/18/28
		16051	21800	11/15/29
59	Broadway Terrace	17906	24965	6/30/32
		17906	24568	3/14/32
		14592	19614	4/13/28
60	Ashby Avenue	13948	19086	12/ 2/27
62	Colusa Avenue	16751	22721	8/ 2/30
63	Richmond Ferry	17067	23237	12/30/30
64	San Jose Avenue	14516	20231	9/18/28
		16051	21800	11/15/29
65	Alameda Express	17063	23279	1/13/31
66	Fifth Avenue	17790	24302	12/14/31
		17790	25236	10/ 3/32
		17790	25471	12/19/32
67	Spruce Street	18164	24866	6/13/32
		18164	24966	6/30/32
68	Barrett Avenue	18164	24866	6/13/32
69	23rd Street, Richmond	17906	24965	6/30/32
70	Chabot Road	16751	22721	8/ 2/30
71	Hall Avenue			

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It appears that a public hearing is not necessary in this matter and that the application is reasonable and should be granted.

East Bay Motor Coach Lines, Ltd., is hereby placed upon notice that "operative rights" do not constitute a class of property which should be capitalized or used as an element of value in determining reasonable rates. Aside from their purely permissive aspect, they extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be changed or destroyed at any time by the State, which is not in any respect limited to the number of rights which may be given.

The Railroad Commission of the State of California hereby declares that public convenience and necessity require the operation by East Bay Motor Coach Lines, Ltd., of an automotive passenger service for the transportation of passengers in the Counties of Alameda and Contra Costa, California, and between termini and intermediate points, as shown on Exhibit "A" attached hereto and made a part hereof.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such a service be and it is hereby granted to East Bay Motor Coach Lines, Ltd., and said East Bay Motor Coach Lines, Ltd., is hereby authorized to operate said service as a merged, unified and consolidated system, the rights and certificate herein granted to be in lieu of operating rights and certificates heretofore acquired and shown hereinbefore and covering operation through the same general territory by East Bay Motor Coach Lines, Ltd., or its predecessors in interest, which existing rights and certificates are hereby revoked and annulled, subject, however, to the following conditions and not otherwise:

- (1) Applicant shall file its written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from the date hereof.
- (2) Applicant shall amend its rate tariffs, rules and time schedules in conformity with the General Orders and rules of this Commission to cover operations not heretofore authorized.
- (3) Applicant is authorized to turn its motor coaches around at the termini of any or all of the routes herein described, or at points where schedules may terminate along said routes, by operating such motor coaches in either direction around the block at the termini of said routes, or at points where schedules may be so terminated along said routes, and to carry passengers thereon and thereover, provided, however, that such turn-around route shall not encompass more than one square city block or the equivalent of one square city block, at such terminal as traffic regulations of the municipality may require.

(4) 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.

(5) 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 7th day of March, 1933.

C. P. Lewis
Leon Swidley
M. A. Lee
W. B. Harris
W. H. ...
Commissioners.

EXHIBIT "A"

Description of Routes over which East Bay Motor Coach Lines, Ltd. is herein certificated to operate Automotive Passenger Stages.

Coach Route No. 50

Alameda Beaches

Operating between the intersection of Broadway and 20th Street in the City of Oakland and the intersection of Webster Street and Taylor Avenue in the City of Alameda; along Broadway from 20th Street to 10th Street, along 10th Street to Harrison Street, along Harrison Street and through the Geo. A. Posey Tube to Webster Street in the City of Alameda, along Webster Street to Taylor Avenue, thence returning via a portion of the same route along Webster Street, Harrison Street, 10th Street and Broadway to the intersection of Broadway and Telegraph Avenue, thence along Telegraph Avenue to 20th Street, along 20th Street to the point of commencement.

Coach Route No. 51

Oakland and Alameda

Operating between the intersection of Broadway and 20th Street in the City of Oakland and the intersection of Santa Clara Avenue and Park Street in the City of Alameda; along Broadway from 20th Street to 10th Street, along 10th Street to Harrison Street, along Harrison Street and through the Geo. A. Posey Tube to Webster Street in the City of Alameda, along Webster Street to Santa Clara Avenue, along Santa Clara Avenue to Park Street, along Park Street to San Jose Avenue, along San Jose Avenue to High Street, along High Street to Santa Clara Avenue, along Santa Clara Avenue to Park Street, thence returning via a portion of the same route along Santa Clara Avenue from Park Street to Webster Street, along Webster Street, Harrison Street, 10th Street and Broadway to the intersection of Broadway and Telegraph Avenue, thence along Telegraph Avenue to 20th Street, along 20th Street to the point of commencement.

Coach Route No. 52

Park Street, Alameda

Operating between the intersection of Broadway and 20th Street in the City of Oakland and the intersection of Santa Clara Avenue and Park Street in the City of Alameda; along Broadway from 20th Street to 10th Street, along 10th Street to Harrison Street, along Harrison Street and through the Geo. A. Posey Tube to Webster Street in the City of Alameda, along Webster Street to Santa Clara Avenue, along Santa Clara Avenue to Park Street, thence returning via a portion of same route along Santa Clara Avenue, Webster Street, Harrison Street, 10th Street and Broadway to the intersection of Broadway and Telegraph Avenue, thence along Telegraph Avenue to 20th Street, along 20th Street to the point of commencement.

(EXHIBIT "A" Cont.)

Coach Route No. 54

35th Avenue

Operating between the intersection of East 14th Street and 35th Avenue and the intersection of Redwood Road and Mountain Boulevard, along 35th Avenue from East 14th Street to Redwood Road, along Redwood Road to Mountain Boulevard, all in the City of Oakland, Alameda County.

Coach Route No. 55

Foothill Boulevard

Operating between the intersection of Ygnacio Avenue and Congress Avenue and the intersection of Foothill Boulevard and 90th Avenue; along Congress Avenue from Ygnacio Avenue to Foothill Boulevard, along Foothill Boulevard to 96th Avenue, along 96th Avenue to East 14th Street, along East 14th Street to 90th Avenue, along 90th Avenue to Foothill Boulevard, thence returning via that portion of the same route along Foothill Boulevard from 90th Avenue to the point of commencement, all in the City of Oakland, Alameda County.

Coach Route No. 56

Seminary Avenue

Operating between the intersection of East 14th Street and Seminary Avenue and the intersection of Greenly Drive and Shone Avenue, along Seminary Avenue to Hillmont Drive, along Hillmont Drive to Edwards Avenue, along Edwards Avenue to Greenly Drive, along Greenly Drive to Shone Avenue, all in the City of Oakland, Alameda County.

Coach Route No. 57

Excelsior Avenue

Operating between the intersection of Rudsdale Street and 73rd Avenue in the City of Oakland and the intersection of Hopkins Street and Eldorado Avenue in the City of Berkeley, along 73rd Avenue from Rudsdale Street to Trenor Street, along Trenor Street to Seminary Avenue, along Seminary Avenue to Camden Street, along Camden Street to Hopkins Street, along Hopkins Street to Excelsior Avenue, along Excelsior Avenue to Lake Park Avenue, along Lake Park Avenue to Santa Clara Avenue, along Santa Clara Avenue to Fairmont Avenue, along Fairmont Avenue to Moss Avenue, along Moss Avenue to Broadway, along Broadway to 40th Street, along 40th Street to Market Street, along Market Street to 39th Street, along 39th Street to Adeline Street, along Adeline Street to 63rd Street, along 63rd Street to Grove Street, along Grove Street to Alcatraz Avenue, along Alcatraz Avenue to Sacramento Street, along Sacramento Street to Hopkins Street, along Hopkins Street to Eldorado Avenue, returning via the same route to the point of commencement, except that southbound service is routed via Adeline Street from Alcatraz Avenue to 63rd and Adeline Streets.

(EXHIBIT "A" Cont.)

Coach Route No. 58

Oakland and Alameda

Operating from the intersection of Alcatraz Avenue and Telegraph Avenue in the City of Oakland and the intersection of Park Street and Santa Clara Avenue in the City of Alameda; along Telegraph Avenue to Broadway, along Broadway to 10th Street, along 10th Street to Harrison Street, along Harrison Street and through the Geo. A. Posey tube to Webster Street in the City of Alameda, along Webster Street to Santa Clara Avenue, along Santa Clara Avenue to High Street, along High Street to San Jose Avenue, along San Jose Avenue to Park Street, along Park Street to Santa Clara Avenue; thence returning via that portion of the same route along Santa Clara Avenue from Park Street to Webster Street, along Webster Street, Harrison Street, 10th Street, Broadway, Telegraph Avenue to the point of commencement.

Coach Route No. 59

Broadway Terrace

Operating between the intersection of Piedmont Avenue and 41st Street and the intersection of Thorn Road and Woodhaven Way, along 41st Street from Piedmont to Broadway, along Broadway to Broadway Terrace, along Broadway Terrace to Country Club Drive, along Country Club Drive to Acacia Avenue, along Acacia Avenue to Golden Gate Avenue, along Golden Gate Avenue to Broadway Terrace, along Broadway Terrace to Duncan Way, along Duncan Way to Florence Avenue, along Florence Avenue to Mountain Boulevard, along Mountain Boulevard to Thorn Road, along Thorn Road to Woodhaven Way, all in the City of Oakland, Alameda County.

Coach Route No. 60

Ashby Avenue

Operating between the intersection of Russell Street and Domingo Avenue and the intersection of Ashby Avenue and San Pablo Avenue, along Russell Street from Domingo Avenue to Hillegass Avenue, along Hillegass Avenue to Ashby Avenue, along Ashby Avenue to San Pablo Avenue, all in the City of Berkeley, Alameda County.

Coach Route No. 62

Colusa Avenue

Operating between the intersection of Hopkins Street and The Alameda in the City of Berkeley, County of Alameda to the intersection of Santa Fe Avenue and Fairmont Avenue in the County of Contra Costa, along The Alameda from Hopkins Street to Marin Avenue, along Marin Avenue to Modoc Street, along Modoc Street to Solano Avenue, along Solano Avenue to Colusa Avenue, along Colusa Avenue to Santa Fe Avenue, along Santa Fe Avenue to the Sunset View Cemetery at Fairmont Avenue.

(EXHIBIT "A" Cont.)

Coach Route No. 63

Richmond Ferry

Operating between the Southern Pacific Ferry Terminal near Richmond Municipal Wharf No. 1 to the intersection of Macdonald Avenue and 10th Street, along Garrard Boulevard from the Southern Pacific Ferry to Richmond Avenue, along Richmond Avenue to Park Place, along Park Place to Washington Avenue, along Washington Avenue to Standard Avenue, along Standard Avenue to Garrard Boulevard, along Garrard Boulevard to Macdonald Avenue, along Macdonald Avenue to 10th Street, all in the City of Richmond, Contra Costa County.

Coach Route No. 64

San Jose Avenue

Operating between the intersection of Park Street and Central Avenue and the intersection of Grand Street and Santa Clara Avenue, along Park Street from Central Avenue to San Jose Avenue, along San Jose Avenue to Paru Street, along Paru Street to Santa Clara Avenue, along Santa Clara Avenue to Grand Street, thence returning via Grand Street to San Jose Avenue, along San Jose Avenue to Oak Street, along Oak Street to Central Avenue along Central Avenue to point of commencement, all in the City of Alameda, County of Alameda.

Coach Route No. 65

Alameda Express

Operating between the intersection of Broadway and 20th Street in the City of Oakland and the intersection of Santa Clara Avenue and Park Street in the City of Alameda; along Broadway from 20th Street to 10th Street, along 10th Street to Harrison Street, along Harrison Street and through the Geo. A. Posey Tube to Webster Street in the City of Alameda, along Webster Street to Santa Clara Avenue, along Santa Clara Avenue to Park Street, thence returning via a portion of same route along Santa Clara Avenue, Webster Street, Harrison Street, 10th Street and Broadway to the intersection of Broadway and Telegraph Avenue, thence along Telegraph Avenue to 20th Street, along 20th Street to the point of commencement.

Coach Route No. 66

Fifth Avenue

Operating between the intersection of Broadway and 8th Street and the intersection of East 14th Street and 6th Avenue; along 8th Street from Broadway to 5th Avenue, along 5th Avenue to East 14th Street, along East 14th Street to 6th Avenue, thence returning via 6th Avenue to East 11th Street, along East 11th Street to 5th Avenue, along 5th Avenue to 8th Street, along 8th Street to the point of commencement, all in the City of Oakland, Alameda County.

Coach Route No. 67

Spruce Street

Operating between the intersection of University Avenue and Shattuck Avenue Place and the intersection of Spruce Street and Santa Barbara Road, along University Avenue from Shattuck Avenue Place to Oxford Street, along Oxford Street to Rose Street, along Rose Street to Spruce Street, along Spruce Street to Santa Barbara Road, all in the City of Berkeley, Alameda County.

(EXHIBIT "A" Cont.)

Coach Route No. 68

Barrett Avenue

Operating between the intersection of 10th Street and Macdonald Avenue and the intersection of Dimm Street and Barrett Avenue, along Macdonald Avenue from 10th Street to 23rd Street, along 23rd Street to Barrett Avenue, along Barrett Avenue to Dimm Street, thence looping via Dimm Street, Mount Street and Dimm Street to Barrett Avenue, all in the City of Richmond, Contra Costa County.

Coach Route No. 69

23rd Street, Richmond

Operating between the intersection of 10th Street and Macdonald Avenue in the City of Richmond and the intersection of 23rd Street and Market Street in Contra Costa County, along Macdonald Avenue from 10th Street to 23rd Street, along 23rd Street to Market Street.

Coach Route No. 70

Chabot Road

Operating between the intersection of Broadway and Broadway Terrace and the intersection of Chabot Road and Claremont Avenue, along Broadway from Broadway Terrace to Patton Street, along Patton Street to Chabot Road, along Chabot Road to Claremont Avenue, all in the City of Oakland, Alameda County.

Coach Route No. 71

Hall Avenue

Operating between the intersection of Macdonald Avenue and 10th Street and the intersection of Hall Avenue and 10th Street, along 10th Street from Macdonald Avenue to Hall Avenue, all in the City of Richmond, Contra Costa County.