

Decision No. 9957.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of  
SAN FRANCISCO-OAKLAND TERMINAL RAIL-  
WAYS for an order for permission to  
suspend operation for the period of  
ten (10) years for the portion of its  
railway system in the City of El  
Cerrito, County of Contra Costa,  
State of California.  
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**ORIGINAL**

Application No. 7314.

BY THE COMMISSION

O P I N I O N

San Francisco-Oakland Terminal Railways, a corpor-  
ation, applies herein for authority of this Commission per-  
mitting the suspension of the operation of street railway  
service for a period of ten (10) years without prejudice  
to the resumption of operation and service at any time within  
said ten (10) year period over the following described portion  
of its system in the City of <sup>El</sup> Cerrito, County of Contra Costa,  
State of California.

Beginning at the point of intersection of the  
center line of San Pablo Avenue with the southern  
boundary line of the City of Richmond, said point  
of intersection being situated about four hundred  
and forty (440) feet southerly measured along the  
center line of said San Pablo Avenue from the south-  
ern line of Macdonald Avenue produced easterly; and  
running thence southerly from said point of inter-  
section along the center line of said San Pablo Ave-  
nue a distance of four thousand four hundred and  
thirty-five (4435) feet, more or less, to the exist-  
ing railway track which curves westward from San Pablo Avenue  
into Potrero Avenue.

The suspension of operation, authority for which is  
herein requested, is for a further suspension following that  
heretofore granted by the Railroad Commission in its decis-

ion No. 3801 on Application No. 2392 as decided October 19, 1916. (Opinions and Orders of the Railroad Commission of the State of California, Volume 11, Page 612), such authorized suspension being for the term of five (5) years and such term expiring October 19, 1921.

Since the former proceeding in which suspension of operation for a term of five (5) years was granted the portion of the County of Contra Costa in which the portion of the applicants system of railway for which suspension of operation is requested is located, has become a portion of the municipality of El Cerrito and applicant herein has obtained permission of the Board of Trustees of the City of El Cerrito for the continued suspension of operation for a period of ten (10) years as is evidenced by a copy of Resolution No. 68 adopted by the Board of Trustees of the City of El Cerrito, on October 7, 1921, filed herein as Exhibit "A" attached to the application in this proceeding.

We are of the opinion that this is a matter in which a public hearing is not necessary and that the application should be granted.

We do not herein pass upon the effect of Resolution No. 68 of the Board of Trustees of El Cerrito as adopted on October 27, 1921, upon the franchise as granted by the Board of Supervisors of Contra Costa County on September 6, 1904, to W. S. Rheem, his successors in interest and assigns.

O R D E R

San Francisco-Oakland Terminal Railways having applied to the Railroad Commission for an order authorizing the suspension of operation of a portion of its system of Street Railway in the City of El Cerrito, County of Contra Costa, as more fully described in the opinion preceding this order; such suspension of operation and service to continue for a period of ten (10) years, without prejudice, however, to the resumption of operation and service at any time within said ten (10) year period; the Commission being fully advised and of the opinion that this is not a matter in which a public hearing is necessary.

IT IS HEREBY ORDERED that this application be and the same is hereby granted.

The Railroad Commission reserves the right to make such other and further orders in this proceeding as to it appears right and proper or as, in its opinion, the public convenience and necessity may require.

Dated at San Francisco, California, this 31<sup>st</sup> day of

December 1921.

R. B. Bondies

A. S. Lovelace

Charles A. Kimmel

J. J. Bondies  
Commissioners.