

Decision No. 25438.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
EAST BAY STREET RAILWAYS, LTD., a  
corporation, for an order authorizing  
it to abandon certain rail service in  
the Counties of Alameda and Contra  
Costa, State of California.

**ORIGINAL**

Application No. 19129.

BY THE COMMISSION:

O R D E R

In this application the East Bay Street Railways, Ltd., seeks authority to abandon rail operations over lines located in the cities of Berkeley and Albany in Alameda County, and El Cerrito and Richmond in Contra Costa County, as follows:

"From a point fifty (50) feet south of the intersection of Ashby and San Pablo Avenues in the City of Berkeley, northerly along San Pablo Avenue to Potrero Avenue, westerly along Potrero Avenue to Pullman Avenue, northerly along Pullman Avenue to Twenty-third Street, northerly along Twenty-third Street to Macdonald Avenue, westerly along Macdonald Avenue to Gerrard Boulevard, westerly along Gerrard Boulevard to Standard Avenue, northerly along Standard Avenue to Scofield Avenue, westerly along Scofield Avenue to Western Drive, northerly along Western Drive and private right of way to a point near the Richmond Terminal of The Richmond and San Rafael Ferry and Transportation Company."

Accompanying the application is a copy of an agreement entered into between applicant and the cities of Berkeley, Albany and El Cerrito on September 15, 1933, wherein each of the cities gives its consent to the granting of this application under certain conditions dealing with the manner in which the abandonment shall be effected, provided that coincident with the abandonment of the rail service a substitute bus service is established, as

applied for by the East Bay Motor Coach Lines, Ltd., in its second supplement to Application No. 18684.

Accompanying the application also is a copy of a resolution from the City of Oakland, Resolution No. 2298, C.M.S., and a resolution from the City of Richmond, Resolution No. 2275, which endorse the plan of abandonment of the rail service and substitution of the proposed bus operation.

The Commission is also in receipt of a letter from the Downtown Property Owners Association, of Oakland, under date of October 6, 1933, signifying its approval of the proposed plan to substitute bus for rail service.

The East Bay Motor Coach Lines, Ltd., has, in connection with the instant application, filed its second supplement to Application No. 18684, seeking authority to establish motor coach operation as a substitute for the rail service for which authority is sought herein to abandon.

In acting upon this application it will be considered in conjunction with the second supplement to Application No. 18684 and it is concluded that with the abandonment of rail operation as proposed herein, and the substitution of bus service to the same districts as is proposed, public convenience and necessity for transportation will reasonably be met. Since the various cities through which the lines involved pass have consented to the proposed change, there appears to be no necessity for a public hearing, therefore

IT IS HEREBY ORDERED that the East Bay Street Railways, Ltd., is authorized to abandon service and thereafter remove the facilities along the line from a point fifty (50) feet south of the intersection of Ashby Avenue and San Pablo Avenue, in the City of Berkeley, to a point near the Richmond Terminal of The Richmond and San Rafael Ferry and Transportation Company in Contra

Costa County, along the route hereinbefore described, subject, however, to the following conditions:

- (1) Applicant shall give the public not less than ten (10) days' notice of the discontinuance of operation over the lines involved herein by posting notices in all cars operated over said lines.
- (2) Rail service shall not be abandoned until a substitute bus service is provided by the East Bay Motor Coach Lines, Ltd., as applied for in the second supplement to Application No. 18684.
- (3) The abandonment of the facilities shall be made substantially in accordance with the terms of the agreements entered into between applicant and the various municipalities involved herein.
- (4) Applicant shall within thirty (30) days thereafter notify this Commission of the abandonment of the rail service herein authorized and of the compliance with the conditions of this order.
- (5) The authorization herein granted shall become null and void unless it is exercised within one (1) year from the date hereof, and unless further time is granted by subsequent order.

The effective date of this order shall be ten (10) days from the date hereof.

Dated at San Francisco, California, this 16<sup>th</sup> day of October, 1933.

Clarence  
Leon  
W. A. C.  
M. B. H.  
W. H. S.  
Commissioners.