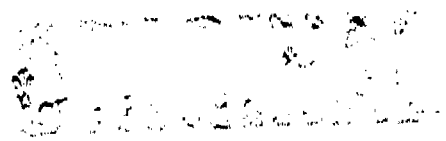


Decision No. 27483.



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.  
) (Supplemental)  
)

In the Matter of the Application of  
EAST BAY STREET RAILWAYS, LTD., a  
corporation, for a certificate of  
public convenience and necessity to  
operate motor coach service in con-  
nection with its street railway lines  
in the Counties of Alameda and Contra  
Costa, State of California.

)  
)  
)  
) Application No. 19502.  
)  
)  
)

BY THE COMMISSION:

FIFTH SUPPLEMENTAL ORDER

and

ORDER

Applicant, East Bay Motor Coach Lines, Ltd., operator of a transportation system consisting of certain motor coach lines and routes in the Counties of Alameda and Contra Costa, has filed a supplemental application in the first of the above-entitled proceedings requesting authority to abandon all of its motor coach lines, and East Bay Street Railways, Ltd., operator of a transportation system consisting of certain street railway lines and routes in the Counties of Alameda and Contra Costa, has in the second of the above-entitled proceedings requested certificate of public convenience and necessity to operate motor coach lines over said abandoned routes. In effect, applicants propose a consolidation of all local street railway and motor coach lines of the two corporations under one ownership. It appears that the same rates of fare and transfer privileges

now in effect will be continued. These are matters in which a public hearing is not necessary and the applications should be granted.

Applicant, East Bay Street Railways, 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 Street Railways, Ltd., of an automotive passenger service for the transportation of passengers in the Counties of Alameda and Contra Costa and between termini and intermediate points as shown in Exhibit "A" attached hereto and made a part hereof, if and when East Bay Motor Coach Lines, Ltd., abandon motor coach operations as authorized herein.

IT IS HEREBY ORDERED that applicant, East Bay Motor Coach Lines, Ltd., is hereby authorized to abandon all of its motor coach service coincident with commencement of the service by East Bay Street Railways, Ltd., authorized herein, and to cancel all rates, tariffs and schedules pertaining thereto.

IT IS HEREBY FURTHER ORDERED that a certificate of public convenience and necessity for the operation of motor coach lines over the routes described in said Exhibit "A" is hereby granted to East Bay Street Railways, Ltd., subject 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 file in triplicate, and make effective within a period of not to exceed thirty (30) days from the date hereof, on not less than one (1) day's notice to the Commission and the public a tariff or tariffs constructed in accordance with the requirements of the Commission's General Orders and containing rates and rules which, in volume and effect, shall be identical with the rates and rules shown in the exhibit attached to the application in so far as they conform to the certificate herein granted.
- (3) Applicant shall file in triplicate, and make effective within a period of not to exceed thirty (30) days from date hereof, on not less than one (1) day's 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.
- (4) 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.
- (5) 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.
- (6) 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 29<sup>th</sup> day of June, 1934.

C. J. Seawing

W. J. Carr

Arthur H. Brown  
Commissioners.

Coach Route No. 50

Alameda-Oakland: 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 that 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 at Broadway.

Coach Route No. 51

Alameda-Oakland

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 that 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 at Broadway.

Coach Route No. 52.

Alameda-Oakland: Park Street

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 that portion of the 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 at Broadway.

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 at Ygnacio Avenue, 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 Fairmount Avenue, along Fairmount Avenue to Moss Avenue, along Moss Avenue to Broadway, along Broadway to 40th Street, along 40th Street to Market Street, along Market Street to 59th Street, along 59th Street to Adeline Street, along Adeline Street to Alcatraz Avenue, along Alcatraz Avenue to Sacramento Street, along Sacramento Street to Hopkins Street, along Hopkins Street to Eldorado Avenue.

Coach Route No. 58

Alameda-Oakland: Telegraph Avenue

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 and Telegraph Avenue to the point of commencement at Alcatraz Avenue.

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. 62

Colusa Avenue

Operating between the intersection of Hopkins Street and The Alameda in the City of Berkeley, Alameda County to the intersection of Santa Fe Avenue and Fairmount Avenue in Contra Costa County; 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 Fairmount Avenue.

Coach Route No. 63

Richmond-San Francisco 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 Grand Street and San Jose Avenue in the City of Alameda and the intersection of Ardley Avenue and Hopkins Street in the City of Oakland; along Grand Street from San Jose Avenue to Santa Clara Avenue, along Santa Clara Avenue to Paru Street, along Paru Street to San Jose Avenue, along San Jose Avenue to Park Street, along Park Street and across the Park Street Bridge to 23rd Avenue, along 23rd Avenue to Ardley Avenue, along Ardley Avenue to Hopkins Street.

Coach Route No. 66

8th Street

Operating between the intersection of 11th Street and Washington Street and the intersection of 13th Avenue and Hopkins Street; along 11th Street from Washington Street to Broadway, along Broadway to 8th Street, along 8th Street to 5th Avenue, along 5th Avenue to Foothill Blvd., along Foothill Blvd. to 8th Avenue, along 8th Avenue to East 24th Street, along East 24th Street to 11th Avenue, along 11th Avenue to East 28th Street, along East 28th Street to 13th Avenue, along 13th Avenue to Hopkins Street, returning via

Coach Route No. 66 (Continued)

that portion of the same route to 8th street and Broadway, thence continuing along 8th Street to Washington Street, along Washington Street to the point of commencement at 11th Street, 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 Vassar Avenue and Kentucky Avenue; along University Avenue to Oxford Street, along Oxford Street to Rose Street, along Rose Street to Spruce Street, along Spruce Street to Vassar Avenue, along Vassar Avenue to Kentucky Avenue, thence returning via Kentucky Avenue to Maryland Avenue, along Maryland Avenue to Vermont Avenue, along Vermont Avenue to Colorado Avenue, along Colorado Avenue to Boynton Avenue, along Boynton Avenue to Florida Avenue, along Florida Avenue to Santa Barbara Road, along Santa Barbara Road to Montrose Road, along Montrose Road to Spruce Street, along Spruce Street to Rose Street, along Rose Street to Oxford Street, along Oxford Street to the point of commencement at University Avenue, all in the City of Berkeley, Alameda County.

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.

Coach Route No. 72

Richmond-Oakland Express

Operating between the intersection of 10th Street and Washington Street in the City of Oakland and the intersection of Standard Avenue and Scofield Street in the City of Richmond; along Washington Street to San Pablo Avenue, along San Pablo Avenue to Macdonald Avenue, along Macdonald Avenue to Garrard Boulevard, along Garrard Boulevard to Standard Avenue, along Standard Avenue to Scofield Street, thence returning over that portion of the same route to San Pablo Avenue and Washington Street, thence continuing along San Pablo Avenue to Broadway, along Broadway to 10th Street, along 10th Street to the point of commencement at Washington Street.

Coach Route No. 73

Oakland-County Line Express

Operating between the intersection of 10th Street and Washington Street in the City of Oakland and the intersection of San Pablo Avenue and the south boundary line of Contra Costa County in the City of Albany; along Washington Street to San Pablo Avenue, along San Pablo Avenue to the south boundary line of Contra Costa County, thence returning over that portion of the same route, along San Pablo Avenue to Washington Street, thence continuing along San Pablo Avenue to Broadway, along Broadway to 10th Street, along 10th Street to the point of commencement at Washington Street.

Coach Route No. 74

County Line-Claremont

Operating between the intersection of Domingo Avenue and Russell Street in the City of Oakland and the intersection of San Pablo Avenue and the south boundary line of Contra Costa County in the City of Albany; along Russell Street to Hillegass Avenue, along Hillegass Avenue to Ashby Avenue, along Ashby Avenue to San Pablo Avenue, along San Pablo Avenue to the south boundary line of Contra Costa County.

Coach Route No. 75

Ashby Avenue-Richmond

Operating between the intersection of Ashby Avenue and San Pablo Avenue in the City of Berkeley and the intersection of Standard Avenue and Scofield Street in the City of Richmond; along San Pablo Avenue to Macdonald Avenue, along Macdonald Avenue to Garrard Boulevard, along Garrard Boulevard to Standard Avenue, along Standard Avenue to Scofield Street.

Coach Route No. 76

Pullman Avenue

Operating between the intersection of San Pablo Avenue and Potrero Avenue in the City of El Cerrito and the intersection of 23rd Street and Macdonald Avenue in the City of Richmond; along Potrero Avenue to Pullman Avenue, along Pullman Avenue to 23rd Street, along 23rd Street to Macdonald Avenue.



Coach Route No. 77

Piedmont Pines

Operating between the intersection of Grand Lake Park and Lakeshore Avenue and the intersection of Ascot Drive and Montera Avenue; along Lakeshore Avenue to Mandana Boulevard, along Mandana Boulevard to Ashmount Avenue, along Ashmount Avenue to La Salle Avenue, along La Salle Avenue to Indian Road, along Indian Road to La Salle Avenue, along La Salle Avenue to St. James Drive, along St. James Drive to Park Boulevard, along Park Boulevard to Mountain Boulevard, along Mountain Boulevard to Montera Avenue, along Montera Avenue to Ascot Drive, along Ascot Drive to Scarborough Drive, along Scarborough Drive to Chelton Drive, along Chelton Drive to Darnby Drive, along Darnby Drive to Carisbrook Drive, along Carisbrook Drive to Skyline Boulevard, along Skyline Boulevard to Ascot Drive, along Ascot Drive to Montera Avenue, all in the Cities of Piedmont and Oakland, Alameda County.