

Decision No. 28933.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
PACIFIC ELECTRIC RAILWAY COMPANY,
and MOTOR TRANSIT COMPANY, for
certain changes in operation in San
Bernardino and Riverside Counties.

Application No. 20539.

C. W. Cornell, for Applicant.

Mancha Bruggemeyer, Mayor, and Walter J.
Hartzell, City Attorney, for the City of
Redlands, Protestant.

Harry See, for the Brotherhood of Railroad
Trainmen, Interested Party.

Earl W. Porter and W. C. Evans, for the
Riverside Chamber of Commerce, Interested
Party.

J. L. Davis, for Riverside County Chamber of
Commerce, Interested Party.

BY THE COMMISSION:

OPINION AND ORDER

This is an application filed by Pacific Electric Rail-
way Company and Motor Transit Company on May 8th, 1936, to make
certain changes in their operations in San Bernardino and River-
side Counties. A supplemental application was filed at the
hearing, which proposes a minor rerouting of an existing line of
the Motor Transit Company in the City of Colton.

A public hearing on the matter was conducted by Examiner
Hunter at San Bernardino on May 26th, 1936, at which time it was
taken under submission and is now ready for decision.

Three operating changes are proposed in the application, which may be briefly outlined as follows:

1. Pacific Electric Railway Company now operates a rail line between Riverside, San Bernardino and Redlands. It is proposed to abandon passenger service over this entire line, except that a combination baggage and passenger car between Riverside and San Bernardino will be continued, to connect with the through Southern Pacific trains at Colton. Pacific Electric Railway Company also proposes to abandon and remove the tracks on this line in the City of Redlands from a point beyond the packing plant known as "Sunkist," located on San Bernardino Avenue, and the end of the line at 6th Street and Citrus Avenue. To supplant the service which the application contemplates abandoning, it is proposed that the Motor Transit Company shall take over the passenger operation, rerouting its line between Colton and San Bernardino to parallel the rail line on which passenger service is to be discontinued.

2. Pacific Electric Railway Company proposes to abandon passenger service and remove the tracks of its Smiley Heights line in the City of Redlands.

3. Pacific Electric Railway Company proposes to discontinue passenger service on its so-called San Bernardino-Highland-Patton rail line and also to transfer its motor coach operating rights, which it now holds in this same district, to the Motor Transit Company.

All of the above changes are as shown on Exhibit "A" attached to the application.

With reference to proposal No. 1, outlined above, the evidence shows that for many years the Pacific Electric Railway Company has operated passenger service between Riverside, on the one hand, and Redlands, on the other, through the Cities of Colton and San Bernardino, a distance of approximately 20.1 miles. Before the advent of the private automobile, this operation was conducted at a substantial profit but during the past few years there has been a continued diminution of the revenues on this line to a point where the operations for the year 1935 resulted in an out-of-pocket loss in excess of \$21,000. The record also shows that, if operations are to be continued into the City of Redlands, it will be necessary to reconstruct the track between

the packing plant at Sunkist and the business district of Redlands, at a cost of approximately \$80,000.

Although a great many parties were notified of this hearing, little protest developed. In all fairness, however, it should be said that Mayor Bruggemeyer, of the City of Redlands, appeared and stated that the City Council had gone on record to the effect that, if the Pacific Electric Railway Company were to be permitted to abandon its passenger operations in the City of Redlands, it then should be required to abandon all freight operation in the city, including that to the Sunkist Orange Packing Plant. We cannot consistently subscribe to such a plan, for the reason that there is no proposal in this proceeding to abandon freight facilities and, if such a plan were followed, it would leave the Sunkist Packing Plant, which is a large rail shipper with an investment in excess of a quarter of a million dollars, without rail facilities; nor can we subscribe to any plan which would necessitate an expenditure of some \$80,000. to retain the rail line for passenger operation.

As a substitute passenger service for that proposed to be abandoned by Pacific Electric Railway Company, the Motor Transit Company proposes to give increased passenger service on its Riverside-San Bernardino-Redlands motor coach line, which is a part of its operations between Los Angeles, Riverside, San Bernardino and Redlands, as authorized in the Commission's Decisions Nos. 13454, 13548, 21300, 23070, 24671 and 26156. Motor Transit Company proposes to reroute the operation on this line between Colton and San Bernardino so as to parallel as nearly as possible the existing route of the Pacific Electric rail line between these cities, where the passenger service is

now proposed to be discontinued. It is also proposed to change its existing terminal in Redlands from its depot at 105 East Citrus Avenue to the intersection of Orange Avenue and Colton Avenue, in order to better serve the public, particularly that portion which might have used the Pacific Electric rail service proposed to be discontinued in that city.

Turning now to proposal No. 2; the Smiley Heights rail line of Pacific Electric Railway Company, which is a strictly local street car line, operates over a route in the City of Redlands commencing at the intersection of Citrus and Orange Avenues, thence along Orange Avenue, Cajon Street, Cypress Avenue, Center Street and Cedar Street to the end of the line at Crown Street, a distance of approximately 2.5 miles. This line serves a residential district in the southwesterly portion of the city. Exhibit "I," attached to the application, shows that during the year 1935 the company sustained an out-of-pocket loss of operation on this line in excess of \$2,900. The record shows that there is little prospect of ever rebuilding the patronage on the line to a point which would justify its retention; furthermore, the track and roadway are badly in need of repair and should the rail operations be continued, rehabilitation would be necessary at a considerable expense. Other than the statement made by the Mayor of the City of Redlands, referred to above, no objection was offered to the plan to remove this line. In this particular instance, no substitute service is offered by applicant, as it contends that sufficient patronage could not be attracted to justify any type of public transportation at this time.

In proposal No. 3, Pacific Electric Railway Company seeks the Commission's authority to discontinue passenger service on its

San Bernardino-Highland-Patton rail line, a distance of approximately 6.6 miles, with the right to continue freight service. Recently, practically the entire patronage on this line has consisted of school children; in fact, cars in the school trip service have been the only passenger equipment operated on the line. Exhibit "J," attached to the application, shows that for the year 1935 Pacific Electric Railway Company sustained an out-of-pocket loss of approximately \$5,300. from passenger operation. The area served by this rail line also is served to some extent by a motor coach line operated by Pacific Electric Railway Company, which was authorized by this Commission's Decision No. 24254, dated June 13th, 1932, on Application No. 17984. It is proposed in the application to transfer this motor coach operating right to Motor Transit Company, in accordance with the terms of agreement as shown on Exhibit "M" attached to the application. The motor coach used by Pacific Electric Railway Company in this particular service is old and should be replaced in the near future if service is to be continued. While it is not the proposal of the Motor Transit Company to replace this coach with an entirely new one, it is planned that a substantially better coach of 25-passenger capacity will be placed in the service. No one appeared in opposition to this portion of the application.

There are no changes in fares contemplated in any of the above proposed revised operations and, in general, patrons will be afforded the same transfer privileges as they are now offered between the proposed lines and the existing ones of Pacific Electric Railway Company and the Motor Transit Company.

The preponderance of evidence in this proceeding leads us to the conclusion that the application is reasonable and should

be granted in its entirety. The following Order will so provide.

O R D E R

Public hearing having been held and the matter now being under submission and ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
HEREBY FINDS AS A FACT that the record in this proceeding justifies the granting of Pacific Electric Railway Company's application to abandon certain passenger operations on its rail lines in San Bernardino and Riverside Counties and, coincidentally therewith, the granting of authority to Motor Transit Company to provide service in the district affected through the operation of motor coach lines, as proposed in the application herein; therefore,

IT IS HEREBY ORDERED:

I. That Pacific Electric Railway Company is hereby authorized to discontinue all passenger service on its Riverside-San Bernardino-Redlands rail line, which is shown in broken red and yellow lines on Exhibit "A," attached to the application, and to change its station records and tariffs accordingly; provided, however, that Pacific Electric Railway Company shall continue to operate a combination baggage and passenger car between Riverside and San Bernardino, providing connections with through Southern Pacific trains at Colton.

II. That Pacific Electric Railway Company is hereby authorized to abandon service and remove its tracks on that portion of said line in the City of Redlands described as follows:

From San Bernardino Avenue and Clay Street in the City of Redlands; thence along San Bernardino Avenue, Orange Avenue and Citrus Avenue to end of line at Sixth Street,

provided, however, that upon removal of the tracks as authorized herein, Pacific Electric Railway Company shall, at its sole expense, repair the various streets from which said tracks have been removed to conform to the remainder thereof.

III. That Motor Transit Company is hereby authorized to reroute its Riverside-San Bernardino-Redlands Line as follows:

Leaving Riverside Motor Transit Depot at 3731 Market Street, south one block on Market Street to 8th Street, east one block on 8th Street to Main Street, north on Main Street to Russell Street, east on Russell Street to La Cadena Drive, north on La Cadena Drive along west side of Santa Fe Railway tracks to a point where new cut off of La Cadena Drive begins just south of the Colton City limits, and continuing in a northerly direction over new cut off of La Cadena Drive passing under Santa Fe Railway overhead bridge to end of new cut off at 8th Street, Colton and junction of old Cadena Drive. (Note: New cut off of La Cadena Drive eliminates two turns and is two-tenths of one mile shorter than old route over La Cadena Drive); thence, north on 8th Street to the intersection of 8th and "I" Streets in Colton, thence easterly on "I" Street crossing over the Pacific Electric Railway tracks to 10th Street, thence northerly on 10th Street to Colton Boulevard, thence northeasterly over Colton Boulevard to the intersection of Mill and "E" Streets, San Bernardino, thence via present route over "E" Street to Second Street, San Bernardino, thence west over Second Street to alley, north into alley to rear of P.E.--S.P. Depot at 549 3rd Street, San Bernardino. Leaving San Bernardino - from alley into 3rd Street, thence east over 3rd Street to "E" Street, thence south over "E" Street through San Bernardino to Highway No. 99, thence east over Highway No. 99 to Anderson Street, thence south on Anderson Street through Loma Linda to Barton Avenue, thence east over Barton Avenue to Brookside Avenue to Citrus Avenue, Redlands, thence east over Citrus Avenue to Orange Avenue, thence north on Orange Avenue to intersection of Orange Avenue and Colton Avenue and terminus;

Return route is the reverse of the above;

in order to provide service to the territory formerly served by Pacific Electric Railway Company's Riverside-San Bernardino-Redlands rail line.

IV. That Pacific Electric Railway Company is hereby authorized to abandon all passenger service and remove its tracks on the so-called Smiley Heights line in the City of Redlands, as

shown in yellow on Exhibit "A" attached to the application, and described as follows:

From Citrus and Orange Avenues in the City of Redlands; thence along Orange Avenue, Cajon Street, Cypress Avenue, Center Street and Cedar Avenue to end of line at Crown Street,

and to change its station records and tariffs accordingly; provided, however, that upon removal of the tracks, as authorized herein, Pacific Electric Railway Company shall, at its sole expense, repair the various streets from which said tracks have been removed to conform to the remainder thereof.

V. That Pacific Electric Railway Company is hereby authorized to discontinue all passenger service on its San Bernardino-Highland-Patton rail line and to change its station records and tariffs accordingly.

VI. That Pacific Electric Railway Company is hereby authorized to transfer to Motor Transit Company the operating rights on its San Bernardino-Highland-Patton Motor Coach Line, as authorized by this Commission's Decision No. 24854, dated June 13th, 1932, on Application No. 17984. The route of the motor coach line to be transferred is described as follows:

Commencing at Pacific Electric-Southern Pacific Station, San Bernardino, located at 3rd Street between "E" and "F" Streets, east on 3rd Street to "E" Street, north on "E" to 4th Street, east on 4th Street to Mountain View Avenue, north on Mountain View Avenue to Base Line Street, east on Base Line (service divides at this point) (1) to Waterman Avenue, north on Waterman Avenue to Gilbert Street to Hospital Street, south on Hospital Street to Base Line, east on Base Line to Palm Avenue. (2) to Palm Avenue, north on Palm Avenue to Highland Avenue, west on Highland to State Hospital. Returning as follows: From State Hospital and Highland Avenue, east on Highland Avenue to Palm Avenue, south on Palm Avenue to Base Line Street, west on Base Line to Hospital Street (service divides at this point) (1) north on Hospital Street to Gilbert Street, west on Gilbert Street to Waterman Avenue, south on Waterman Avenue to Base Line Street, west on Base Line to Mountain View Avenue. (2) continuing on Base Line to

Mountain View Avenue, south on Mountain View to 4th Street, west on 4th Street to "E" Street, south on "E" Street to 3rd Street, west on 3rd Street to Pacific Electric-Southern Pacific Station, point of beginning.

VII. That all of the above authorizations are subject to the following conditions:

- (1) Applicants shall provide the public not less than ten (10) days' notice of the revision of operations authorized herein, by posting notices thereof in all cars and coaches operating on the various lines and at all stations affected.
- (2) Motor Transit Company shall file, in triplicate, and make effective, within a period of not to exceed thirty (30) days after the effective date of this order, 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 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 exhibits attached to the application, or rates and rules satisfactory to the Railroad Commission, which shall cover all operating rights granted to it herein.
- (3) Motor Transit Company shall file in duplicate and make effective, within a period of not to exceed thirty (30) days after the effective date of this order, on not less than five (5) days' notice to the Commission and the public, time schedules covering the service herein authorized, in a form satisfactory to the Railroad Commission.
- (4) The rights and privileges herein authorized may not be discontinued, sold, leased, transferred or 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, Motor Transit Company, 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.

For all other purposes, the effective date of this Order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 29th day of June, 1936.

M. B. Davis

M. A. Lynn

Walter R. Brown
Frank R. Miller

Commissioners.