

Decision No. 31649

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of

Key System and Interurban  
Electric Railway Company

Application No. 22484

for an order authorizing applicants to enter into a written agreement providing for the management and administration of the Bridge Railway on the San Francisco-Oakland Bay Bridge.

**ORIGINAL**

BY THE COMMISSION:

**O P I N I O N**

In this proceeding, applicants seek authority to enter into that certain agreement, dated November 28, 1938, which is attached to the application as Exhibit "A". This agreement bears the approval of the California Toll Bridge Authority which was granted November 29, 1938.

In a general way, the agreement deals with the matters of management, investment, liability, arbitration, operation and maintenance of rail operation over the San Francisco-Oakland Bay Bridge, including the terminal at San Francisco.

By the terms of the Commission's order of its Decision No. 28671, dated March 23, 1936, in Applications Nos. 19703 and 19704, applicants were granted a certificate of public convenience and necessity to operate an electric railway service for the transportation of passengers over the San Francisco-Oakland Bay Bridge and the necessary bridge railway tracks and approaches thereto, when completed, between the terminus of said bridge railway in San Francisco and various points in the East Bay area; also, applicants were each authorized to enter into an agreement with the California Toll Bridge Authority respecting the operation of electric railway service over said bridge, both of which agreements were dated March 6, 1936.

In these respective agreements, the California Toll Bridge Authority granted Key System and Interurban Electric Railway Company, jointly, subject to the terms and conditions therein set forth, the exclusive control of the management and administration of the bridge railway operations.

It appears that the agreement attached to the instant application as Exhibit "A" sets forth in detail the duties and obligations of the parties and is in accordance with the general plan of rail operation over the San Francisco-Oakland Bay Bridge which has heretofore been considered and approved by this Commission.

The agreement provides for the maintenance and operation of the bridge railway and the apportionment of the cost thereof. It requires the parties to the agreement and the "Terminal Organization", which has charge of certain terminal and other properties, to keep an accurate record of the cost of maintaining, replacing and operating the bridge railway. The order herein will require applicants to file with the Commission monthly reports showing by the accounts provided in the system of accounts prescribed by the Interstate Commerce Commission for electric railways, their expenditures chargeable to operating expenses and/or income incurred by them in compliance with the terms of the agreement. Their report should show separately the expenses of the "Terminal Organization" and the amount of such expenses apportioned to each company.

#### O R D E R

IT IS HEREBY ORDERED that applicants Key System and Interurban Electric Railway Company are authorized to enter into that certain agreement dated November 28, 1936, which is attached to this application as Exhibit "A".

IT IS HEREBY FURTHER ORDERED, that Key System and Inter-urban Electric Railway Company file with the Railroad Commission monthly reports showing by accounts the amounts charged to operating expense accounts and/or income accounts under the system of accounts prescribed by the Interstate Commerce Commission covering the maintenance and operation of the Bridge Railway as provided for in the agreement filed in this proceeding as Exhibit "A", and that said reports shall show separately all expenses jointly incurred and allocated through the medium of the Terminal Organization. Said monthly reports shall be filed not later than forty five days after the close of the month for which the report is rendered.

IT IS HEREBY FURTHER ORDERED, that the authority herein granted to Interurban Electric Railway Company and Key System to enter into the agreement between themselves in this order referred to shall not be taken as in any way controlling the Commission's future action in any proceeding involving the rates charged or service rendered by either of said applicants.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 11<sup>th</sup> day of

January, 1939.

Raymond J. Quinn

Paul J. Quinn  
M. J. Quinn

Justus J. Coe  
Commissioners.