

Decision No. 32588.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
PACIFIC ELECTRIC RAILWAY COMPANY, a
corporation, for an in lieu certifi-
cate of public convenience and
necessity.

ORIGINAL

26th Supplemental
Appl. No. 17984.

Frank Karr and C. W. Cornell, for the Appli-
cant.

Aubrey N. Irwin, City Attorney, and A. L. Law-
son, Assistant City Attorney, for the City
of Glendale.

Ray L. Chesebro, City Attorney, and John W.
Holmes, Deputy City Attorney, for the City
of Los Angeles.

K. Charles Bean, Chief Engineer, and Stanley M.
Lanham, Assistant Chief Engineer, Board of
Public Utilities and Transportation of the
City of Los Angeles.

Ralph W. Swagler, City Attorney, for City of
Burbank.

L. H. Myers, Secretary-Manager, Glendale Cham-
ber of Commerce.

RILEY, Commissioner:

SUPPLEMENTAL OPINION

Suburban passenger service is now provided by Pacific Electric Railway Company between Los Angeles and the Cities of Glendale and Burbank by a combination of rail and motor coach operation serving common termini and traversing routes substantially parallel throughout their entirety, except for that portion of the rail line which is located on private right of way off the city streets.

Such dual service replaced the prior all-rail operation on July 12th, 1936, pursuant to the authority granted by this Commission in its Decision No. 28588, dated February 24th, 1936,

on Application No. 17984, 26th Supplemental. Applicant pointed out that the rail equipment used on the Glendale-Burbank line was old and in need of replacement and that to rehabilitate the operation with new cars would have required the expenditure of approximately \$900,000. Not being disposed to make such an expenditure at that time, in view of the uncertainty as to general public preference between motor coach and rail service, the company urged that an experiment with dual service should be conducted, at a cost of approximately \$220,000 for new motor coaches. Such a test was considered to be the most desirable means of determining the superiority of one type of equipment over the other. The experimental plan was agreed upon by the cities served, provided that further consideration be allowed the interested parties if and when said dual service might prove unsatisfactory.

Provision was made by the Commission in its order for reopening the matter for further consideration by the following condition:

"(9) This order is subject to further consideration and hearing at the request of either the applicant or the City of Glendale or on the Commission's own motion, on or before two years after the date of commencement of the service authorized herein."

In accordance with such provision, the City of Glendale filed with the Commission a resolution adopted by the City Council on June 8th, 1937, expressing dissatisfaction with the dual service and requesting that the matter be reopened. The request was granted and further hearing held on November 1st, 1938.

Lester S. Ready, Consulting Engineer employed by the City of Glendale, made an independent survey of the suburban passenger transportation situation, as affecting both Glendale and Burbank. His report was submitted in evidence (Exhibit No. 47), setting forth conclusions and recommendations to the effect that the dual operation

should be discontinued and all-rail service restored. (1)

As a part of a general investigation of the entire operations of Pacific Electric Railway Company, a survey and report were made by engineers of the Commission's staff, embracing all phases of urban, suburban and interurban passenger transportation of that company, one volume of which covered the Glendale-Burbank operation. That report was submitted in evidence (2) by Senior Engineer Arthur C. Jenkins of the Commission's staff. Based upon the results of traffic checks and other detailed studies, recommendation was made that all-rail suburban operation be reinstated and that the motor

(1) My recommendation is that all-rail interurban service with certain feeder coaches be substituted for present service provided that:

- (a) Tracks be reballasted along private right-of-way and maintenance of road-bed along Brand Avenue be improved;
- (b) Present rail equipment (800-Type) be abandoned;
- (c) Twelve new cars be purchased which will provide the riding quality of Presidents' Conference Committee cars and incorporate such modern improvements as are reasonably possible in cars designated for train operation in conjunction with 600-Type cars;
- (d) Twenty-eight 600-Type cars be assigned to Glendale-Burbank-Edendale-Los Angeles service after being modernized by having motors rewound to increase speed, seats reupholstered and arranged to increased useful width, center entrance jump seats replaced with wider semi-cushioned ones, lighting fixtures improved and the cars themselves given a general overhauling;
- (e) Schedule be established to provide for maintenance of headways, between 7 a.m. and 8 p.m. on week days, of 10 minutes to Broadway and Brand; 10 and 20 minutes to North Glendale; and 20 minutes during rush hours and 30 minutes during the balance of the period to Palm Avenue, Burbank. Sunday and holiday schedule to give 30 minutes' service to North Glendale and Burbank, respectively, and thereby give a 15-minute service at Brand Boulevard and Broadway in Glendale. Maintenance of shuttle service to and from East Broadway during off-peak periods and feeder coach service during peak periods between 'Alameda and Mountain' and 'Ethel and Mountain' via present routes, and 'Broadway and Brand' directly connecting with interurban trains."

(2) Exhibit No. 69, Application No. 21656, April 5th, 1939. For purpose of hearing, Application No. 21656 and Application No. 17984, 26th Supplemental, were consolidated.

(3)
coach service be discontinued.

It was further recommended that no service be provided beyond Palm Avenue in Burbank. Considerable opposition was offered to such discontinuance by persons residing in or otherwise interested in the area concerned; however, the record shows that there is insufficient patronage on that portion of the route between Palm Avenue and the end of the line at Eton Drive to justify continued operation. Although the area is generally subdivided and provided with street improvements, for a number of years it has remained in an undeveloped state because of litigation. Representatives from that section contend that the way has now been cleared for development of a high-class residential district in the near future but, if such prediction should materialize, some adjustment of local service to meet the requirements when they arise may be the proper course.

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- (3) "a. For use in the suburban service between Los Angeles and the Glendale-Burbank area, motor coaches should be discontinued and 'all rail' operation inaugurated under one of the three plans heretofore described, preferably that which provides for new equipment during the base period and remodeled Class '600' cars to fill in for peak requirements.
- b. New equipment acquired for use in the Los Angeles-Glendale-Burbank suburban service should be of modern design and construction, including qualities of riding comfort, speed, rates of acceleration and deceleration, attractiveness of exterior and interior decoration, comparing favorably with those characteristics as found in the P.C.C. type car. Class '600' cars to be used in peak service should be remodeled, including rewound motors to allow for higher running speeds and alteration of interior and exterior decoration to more nearly compare with those incorporated in the new equipment. All equipment, both new and remodeled Class '600' cars should be equipped with the necessary safety and control features in accordance with requirements for 100 per cent one-man operation, and should be designed for operation either as single or multiple unit trains.
- c. Routing of the rail equipment in suburban service should be the same as that existing at the present time between Burbank, Glendale, and the Subway Terminal in Los Angeles, with the exception of the abandonment of rail operation beyond Palm Avenue in Burbank.

(Footnote (3) continued on next page).

A program of track rehabilitation is essential to the reinstatement of all-rail service with new and rebuilt equipment, if a high standard of service is to be maintained.

On North Brand Boulevard beyond Arden Junction, the city street is divided by private right of way upon which are located the tracks of the North Glendale branch. During certain periods, and more particularly at night, cars are stored in the open on the extreme end of the right of way. The area immediately adjacent thereto is residential in character and numerous complaints have been received from persons opposed to such storage practice. Some point of storage is necessary, in order that the movement of empty cars may be reduced to a minimum; however, the public street in a residential area does not appear appropriate for such purposes. This condition could be relieved by carrying out the recommendation made by the Commission's engineers, that off-street storage facilities be provided on property already owned by the company, located immediately west of Arden Junction.

The report of the City of Glendale and that of the Commission's engineers stressed the unsatisfactory results of dual

(3) - (Continued)

- "d. Necessary expenditures should be made to place the track and roadway in a satisfactory condition of maintenance to accommodate the proposed high standard of service and equipment.
- e. Automatic signaling devices should be installed on the single track branch of the Burbank line between Arden Junction and Palm Avenue, of such design as to fully meet the requirements of one-man car operation.
- f. Car storage tracks should be constructed on company-owned property in the vicinity of Arden Junction west of Brand Boulevard and north of the Flood Control Channel, in order that storage of cars in the street at North Glendale and at East Broadway and Chevy Chase Drive can be dispensed with.
- g. It is desirable, in order to ensure the most efficient operation of suburban trains along Glenoaks Boulevard in Burbank, that automobile parking be prohibited on the west side of that street between Verdugo Avenue and Olive Street.
- h. Suburban passenger service in the City of Burbank, along Glenoaks Boulevard beyond Palm Avenue, should be discontinued."

operation and the potential advantages of all-rail operation equipped with suitable cars to be operated over properly maintained roadbed under schedules which would be conducive to maximum patronage.

Analysis of the evidence adduced in this record establishes conclusively the desirability of all-rail service over either all-motor coach or dual operation. Such conclusion, however, should not be construed as a universal condemnation of motor coach operation in favor of rail service. Decision as to which mode of travel will best suit the public need in any specific instance must be based upon the individual characteristics of the particular operation in question. The desirability of such independent treatment is pointed out in the report of the Commission's engineers, relating to the suburban service.⁽⁴⁾

(4) Application No. 21656, Exhibit No. 69, page 140.

"Taking into consideration all the various features involved, both financial and physical, it appears that the class of service best suited to this operation should consist of all-rail to the exclusion of motor coaches. Although motor coach operation has proven very satisfactory in numerous other locations in the Los Angeles Metropolitan area, particular examples of which are the Wilshire Boulevard and Sunset Boulevard lines of the Los Angeles Motor Coach Company, and the Beverly Boulevard line of the Los Angeles Railway Corporation, inauguration of interurban motor coach service in conjunction with rail operations between Burbank, Glendale, and Los Angeles has not developed as satisfactory.

"There are numerous reasons for this, among which is the fact that the route followed by the motor coaches in this service is more circuitous, includes steeper grades, and a rougher roadbed than those found to exist in the other three instances. In addition to these elements, the motor coaches themselves have not proven to be entirely satisfactory mechanically and, furthermore, they have not been maintained in first-class condition during the time they have been in service. It is only necessary to take comparative trips on the Wilshire Boulevard line and the Glendale-Burbank interurban motor coach line to distinguish the inferior grade of maintenance, cleanliness, and upkeep of equipment on the latter. Due to these factors the fullest realization of increased patronage that might be expected under more satisfactory conditions elsewhere by the inauguration of a motor coach line with new equipment has not been attained.

"With this situation existing there is little hope that full motor coach operation, even with new equipment to replace that now in service, could be expected to develop an appreciable amount of new business, if any. By use of the subway and the considerable

(Footnote (4) continued on next page).

Following the completion and presentation of the two reports above referred to, Pacific Electric Railway Company filed its applications ⁽⁵⁾ requesting authority to suspend motor coach operation on its Los Angeles-Glendale-Burbank line and to reinstate all-rail service substantially in conformance with the recommendations made by the engineers of Glendale and this Commission's staff, and to discontinue service and abandon tracks between Cypress Avenue and Eton Drive in Burbank.

Although covered in another proceeding, ⁽⁵⁾ it appears appropriate at this time to call attention to the fact that applicant further proposes to combine the Los Angeles urban Edendale service with the Glendale-Burbank suburban service, extending said urban service from its present terminus at Monte Sano to Richardson, including such extension in the Los Angeles No. 3 local fare zone on the north and rerouting through the subway to the Subway Terminal Station located near Fifth and Hill Streets in downtown Los Angeles, instead of over the present route along Second, Figueroa and Sixth Streets.

Through trains on limited schedules, carrying no local passengers, are proposed for peak periods between Los Angeles and Richardson, during which intervals local passengers will be handled on separate cars to Richardson, turning back said local equipment

(4) - (Continued)

"amount of private right of way over which the Glendale-Burbank interurban rail line passes, considerable congestion that is encountered on city streets is avoided, resulting in a faster running time by rail. In order to utilize the existing rail facilities to the fullest extent of their capabilities, they must be rehabilitated to bring them up to a condition of first-class maintenance and must be equipped with cars of modern design, including high running speed, fast acceleration and deceleration, attractive interior and exterior decoration, adequate interior lighting, and comfortable seating arrangement."

(5) Application No. 23053 and Application No. 17984, 40th Supplemental, filed October 18th, 1939.

at that point. During off-peak periods and on Sundays and holidays, however, it is proposed to handle both suburban and local traffic on the same cars.

The proposed arrangement for handling Edendale traffic is in accord with the recommendations of both Mr. Ready and engineers of the Board of Public Utilities and Transportation of the City of Los Angeles, but contrary to those of the Commission's engineer, who favored the existing routing along Second, Figueroa and Sixth Streets to a terminus at Los Angeles Street. Although the record indicates that a substantial use is made of the existing routing in the downtown area by the traveling public and that those patrons destined to points south of and along Sixth Street will be considerably inconvenienced by rerouting the line into the subway, there appears to be no practical alternative, inasmuch as the City of Los Angeles has declined to renew the franchise, which expires early in 1940.

By separating entirely the Edendale local service, a higher type of suburban service could be provided to Glendale and Burbank through eliminating interference of local cars with suburban trains during peak traffic and obviating the necessity of handling local passengers on through trains during off-peak periods; however, the dictate of practical operation and economics supports the combination service, to the effect that it provides the most efficient utilization of existing facilities.

In the recommendations submitted by the Commission's engineers, specific consideration was given to the advantages of one-man car operation, both as to equipment specifications and net revenue. Such operation was considered feasible and desirable when combined with properly designed equipment and facilities.

Subsequent to the formulation of those recommendations, Initiative Ordinance No. 81319 was passed by vote of electors of the City of Los Angeles, effective May 10th, 1939, the provisions

of which prohibit the operation of street cars in passenger service over streets of that city, manned by a crew of less than two men on a single unit train, and two men on the lead car and one man on each trailer, when operated in multiple unit trains. The constitutionality of this ordinance is now being challenged by the applicant and Los Angeles Railway Corporation.

Not only does the ordinance apply to local street car operation but it also affects suburban and interurban rail lines which operate in part over city streets. To the extent of the limitations imposed upon the Glendale-Burbank suburban operation by said ordinance, the recommendations of the Commission's engineers were modified.

In conformity with the recommendations of Mr. Ready and the Commission's engineers, the company proposes to equip the Glendale-Burbank suburban rail line with ten new cars of the P.C.C. (Presidents' Conference Committee) type, to fill base schedules, and the required number of rebuilt Class "600" cars to fill peak traffic requirements. The new cars and rebuilt cars are proposed to be placed in operation and motor coach service discontinued concurrently.

Frequency of service under the proposed all-rail plan is the same as at present with dual service, except for peak periods.

A comparison of peak headways and running time, present and proposed, is as follows:

	<u>Present</u>		<u>Proposed</u>	
	<u>Headway</u>	<u>Running Time</u>	<u>Headway</u>	<u>Running Time</u>
L.A. - Brand & Broadway	4 Min.	27 Min.	10 Min.	26 Min.
L.A. - North Glendale	6 "	35 "	20 "	34 "
L.A. - Burbank	20 "	45 "	20 "	45 "
L.A. - Ben Mar Hills	40 "	49 "	-	-

Due to the difference in capacity of motor coaches and rail cars, the proposed lengthening of peak headway for all-rail operation appears reasonable. No material difference of opinion

exists between the two engineering reports and the company's proposal as regards the service and equipment requirements.

Pacific Electric Railway Company, in its application to discontinue motor coach service and substitute all-rail operation, requested that such removal of motor coach operation be granted in the nature of a suspension of service, in order that the certificate of convenience and necessity might be preserved. The City of Glendale, however, requested that if such suspension of service and retention of operating rights be granted, no reestablishment of motor coach service be allowed in the future without first affording the city an opportunity to oppose such a plan, to which suggestion applicant was agreeable.

Review of the record in this matter impels the conclusion that public convenience and necessity require an adjustment in the suburban passenger operation between Los Angeles and the Cities of Glendale and Burbank, to the extent of suspending existing motor coach operations and reestablishing all-rail service, and the following order will so provide.

SUPPLEMENTAL ORDER

Public hearing having been held on the above entitled matter and the Commission being fully apprised in the premises;

IT IS HEREBY ORDERED that Pacific Electric Railway Company be and it is hereby authorized to suspend, for a period of two (2) years, its suburban passenger motor coach service between Los Angeles and the Cities of Glendale and Burbank over the route described as follows:

Commencing at parking deck located between Fourth and Fifth Streets, immediately south of the Subway Terminal Building, Los Angeles, thence along Olive Street, Fifth Street, Fremont Avenue, Second Street, Glendale Boulevard, Brand Boulevard, Burchett Street,

Pacific Avenue and Glenoaks Boulevard to Burbank (Eton Drive); also from the intersection of Brand Boulevard and Burchett Street, along Brand Boulevard to Mountain Street; and also from the intersection of Brand Boulevard and Broadway, along Broadway to Chevy Chase;

and to reestablish all-rail service in lieu thereof over the same route and utilizing the same facilities as the present partial rail service, except that no service be provided and facilities be abandoned along that portion of the route described as follows:

The single track line commencing at Cypress Avenue, thence northwesterly on Glenoaks Boulevard to the end of the line at Eton Drive, all in the City of Burbank;

subject to the following conditions:

- (1) At least ten new cars shall be purchased for use in the all-rail service, said cars to be substantially of the P.C.C. type as to design and construction.
- (2) In addition to the cars provided for in Condition (1) above, the necessary number of Class "600" cars to meet traffic requirements shall be reconditioned and remodeled as to electrical, mechanical, seating and decorative features to a degree sufficient to provide for satisfactory operation in combination with the new equipment.
- (3) Plans and specifications of the new equipment and of the proposed remodeling of Class "600" cars shall be submitted to the Commission prior to purchase of said new equipment and commencement of remodeling of Class "600" cars.
- (4) A program of track and roadway rehabilitation on the rail line shall be submitted to the Commission within ninety (90) days of the effective date hereof.
- (5) No resumption of motor coach operation shall be made under the suspended certificate, except after thirty (30) days' notice to the Cities of Los Angeles, Glendale and Burbank, as well as the Commission, and in the event protest is filed with the Commission by any of said cities, the matter will be set for further hearing.
- (6) Said all-rail service shall be placed in operation

and motor coach service discontinued concurrently within a period not to exceed six (6) months from the effective date hereof.

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

Dated at ^{Los Angeles} ~~San Francisco~~, California, this 2nd day of November, 1939.

R. J. [Signature]

Ray R. Rice

[Signature]

Justus J. Casper
Commissioners.