

Decision No. 32688.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

**ORIGINAL**

In the Matter of the Application of  
PACIFIC ELECTRIC RAILWAY COMPANY,  
a corporation, for an In Lieu Cer-  
tificate of Public Convenience and  
Necessity.

)} FORTY-FIRST SUPPLEMENTAL  
)} APPLICATION NO. 17984.  
)} (Minor changes in routes and  
)} restriction of various motor  
)} coach lines, and Extension of  
)} L.A.-Redondo Beach Line to  
)} Palos Verdes.)

In the Matter of the Application of  
PACIFIC ELECTRIC RAILWAY COMPANY, a  
corporation, for an In Lieu Certi-  
ficate of Public Convenience and  
Necessity.

)} FORTY-THIRD SUPPLEMENTAL  
)} APPLICATION NO. 17984.  
)} (Slight change in routes of  
)} L.A.-Santa Monica via Beverly  
)} Hills and Hollywood-Beverly  
)} Hills-University Motor Coach  
)} Lines in City of Beverly Hills.)

C. W. Cornell, for Applicant.

Max E. Utt, for Los Angeles Railway Cor-  
poration, Interested Party.

F. H. Bihn, City Attorney, for the City of  
Palos Verdes Estates, Interested Party.

Frank Lanterman, for the Chamber of Commerce  
of La Canada, Interested Party.

BY THE COMMISSION:

O P I N I O N

The above numbered supplemental applications, filed by Pacific Electric Railway Company, seek the Commission's authority to make certain minor changes in the routes of its various motor coach lines, to modify an existing restriction on its Beverly Boulevard-Sunset Boulevard motor coach line, to abandon its Motor Transit district depot and reestablish and consolidate its station facilities with those of Southern Pacific Company in Pomona, and to extend the route of its Los Angeles-Redondo Beach motor coach line for a trial period of ninety (90) days southerly from its present terminus at Redondo Beach to West Palos Verdes Drive, a distance of 1.55 miles.

Public hearing in these proceedings was conducted by Examiner Ager at Los Angeles on October 23, 1940, at which time they were taken under submission, and they are now ready for decision.

Inasmuch as there are many proposals contained in the two supplemental applications, it would appear appropriate that each be briefly discussed.

A. Los Angeles-Balboa Motor Coach Line

Pursuant to the authority granted by Decision No. 33088, dated May 14, 1940, on 40th Supplemental Application No. 17984, Pacific Electric Railway Company operates a motor coach service in substitution for rail service which was previously operated between Los Angeles and the Newport-Balboa area. A minor change in the route, as described in that decision, is proposed at the Los Angeles terminus of the line so as to operate inbound over Sixth Street and Maple Avenue and outbound via Los Angeles Street, Fifth Street, Maple Avenue and Sixth Street. This change will facilitate the movement of coaches entering and leaving the Los Angeles terminal and is necessary for operating reasons since the turns necessitated by the previous order have proven impractical in actual operation.

In addition to this change, two minor changes of route are proposed to be made in the vicinity of Ximeno Avenue, in order to improve operating conditions and also to better serve the City of Seal Beach. No opposition was offered to these proposed changes in routing on this line and we are convinced that public convenience will best be served by their authorization and establishment.

B. Los Angeles-San Bernardino Motor Coach Line

Service on this line was established on June 9, 1940, pursuant to the authority granted by Decision

No. 33088, dated May 14, 1940, on 40th Supplemental Application No. 17964. Subsequent to that time, the City of Claremont requested that applicant make minor changes in its route through that city, in order to avoid operation in the immediate vicinity of the Pomona College campus and also to provide a more convenient service through the Claremont business district. No opposition was offered to this proposal and Exhibit No. 2 is a letter from the City Council of the City of Claremont, requesting that this change be made. The public will not be adversely affected.

C. Change of Present Motor Coach Route and Depot Facilities in Pomona.

One of the proposals contained in Application No. 23053 (Pacific Electric Railway Company to make certain changes in its rail system), was that the route of the motor coach line operated between Los Angeles and Redlands be changed through the City of Pomona and that applicant be permitted to abandon its Motor Transit district depot and consolidate the same with the depot facilities of Southern Pacific Company in that city. Apparently this matter was overlooked through inadvertence at the time of the issuance of the Commission's Decision No. 33088 in that proceeding. It appears that the request is reasonable and will not be inimical to public interests.

D. Glendale-Verdugo City-La Canada Motor Coach Line

As an extension of its Glendale-Verdugo City motor coach line, applicant established a motor coach service between Montrose and La Canada on January 15, 1940, pursuant to the authority granted by Decision No. 32599, dated December 5, 1939, on 40th

Supplemental Application No. 17984. The record indicates that, since the date of establishment of this service, a number of requests have been received for a slight rerouting so as to provide service through a more populated area than is presently served. Studies of this proposed change in route have been made and witnesses testified as to their belief that such a rerouting would result in material increases in the present traffic. Although 0.4 of a mile will be added to the one-way route mileage, witnesses for applicant testified that in their opinion the added expense of operating this additional mileage would be more than off-set by the additional traffic attracted by reason of the rerouting through the more thickly populated area.

The service on the extension to this line was established on a ninety-day trial basis. This trial period has been extended to permit further study of the operation before definitely determining whether or not it shall be made permanent, and the rerouting sought herein is proposed on the same basis as the original extension. No opposition developed to this proposal and, on the contrary, witnesses appeared and testified as to its merits.

E. Los Angeles-Redondo Beach Motor Coach Line

Service on this line was established on May 12, 1940, pursuant to the authority granted by Decision No. 32599, dated December 5, 1939, on 40th Supplemental Application No. 17984. A portion of this route is over Olive Street, Washington Boulevard and Figueroa Street and, since the establishment of the service, the Police Department of the City of Los Angeles has imposed a "No Left Turn" traffic restriction at the intersection of Washington Boulevard and Figueroa Street. On the outbound trips

applicant's motor coaches violate this restriction and such operation is considered hazardous and undesirable. In order to eliminate this condition, it is proposed to make a minor change in the routing so as to operate over Olive Street, Twenty-third Street and Flower Street to Figueroa Street, thence over the route as previously authorized. No change in the present running time or over-all route mileage is involved and, because of the proximity of the proposed route to the present route, it would seem that patrons of the service, who now board or leave the coaches in the vicinity of the proposed rerouting, would not be inconvenienced. It appears that this request is in public interest and should be granted.

At the southerly end of this same line it is proposed to extend the route southerly from its present terminus at Avenue "I," Redondo Beach, to West Palos Verdes Drive, a distance of 1.55 miles. It is not applicant's intention that all service on the Redondo Beach line shall be operated through to Palos Verdes but that four inbound schedules in the morning and four outbound schedules in the afternoon shall be operated from and to that point. The extension is proposed on a 90-day trial basis at the insistence of the City of Palos Verdes Estates, it being its contention that there is reasonable possibility of said service earning sufficient revenue to at least pay the out-of-pocket costs of operation. Attached to the application, as Exhibit VII-B, is a copy of a letter addressed to the Commission by the Palos Verdes Transportation Company, operators of a local service in the Palos Verdes Estates area, indicating that it is in complete accord with the extension of service as proposed herein.

Analysis of the record leads us to the conclusion that there is merit to the proposal and that this request should be granted.

F. Los Angeles-Santa Monica via Beverly Hills Motor Coach Line

In lieu of the former rail service operated by Pacific Electric Railway Company between Los Angeles and Ocean Park, applicant established motor coach service paralleling this line on July 7, 1940, pursuant to the authority granted by Decision No. 33088, dated May 14, 1940, on Second Amended 40th Supplemental Application No. 17984. At the same time applicant's local rail service was extended from its westerly terminus at Vineyard to a new westerly terminus at Ogden Drive and San Vicente Boulevard. At this latter point a substantial number of passengers transfer between the local rail line and the through Los Angeles-Santa Monica via Beverly Hills motor coach line. Under the routing as authorized by the above numbered decision, passengers transferring to and from westbound coaches must cross Olympic Boulevard. This boulevard, recently opened as a high-speed artery comparable to Wilshire Boulevard, is a real hazard to persons making this transfer and, in order to eliminate the hazard, applicant proposes a minor rerouting, making a left turn off of Olympic Boulevard into Genesee Street, a right turn into San Vicente Boulevard, thence continuing over the original route. A motor coach stop is proposed to be established at the intersection of Ogden Drive and San Vicente Boulevard opposite the passenger landing now established for rail passengers adjacent to the Pacific Electric tracks. This rerouting and method

of operation will eliminate, to a large extent, the hazard above referred to, it being only necessary, under the proposal, that transferring passengers cross the easterly roadway of San Vicente Boulevard.

No changes are contemplated in the route of the eastbound (inbound) service and no appreciable mileage or running time will be added. The change appears to be in public interest.

Another change in the previously authorized routing of this line is proposed within the City of Beverly Hills. This change has been requested by the City of Beverly Hills through its Traffic Commission, it being its opinion that such change will bring about a more equalized distribution of vehicular traffic in the vicinity of Beverly Hills station, particularly along Canon Drive. The change does not involve westbound coaches but eastbound service, only, and will add nothing to the running time and no substantial mileage to that of the existing route. No inconvenience will be suffered by the traveling public and we are of the opinion that the request is reasonable and should be granted.

G. Beverly Boulevard-Sunset Boulevard  
Motor Coach Line

This motor coach line, commonly referred to as the "Castellammare" line, has as its termini Los Angeles and Castellammare, a community center, and operates over Beverly Boulevard, Sunset Boulevard and other streets through Beverly Hills, Highland Hills and Pacific Palisades. The service is operated subject to the restriction contained in Decision No. 30905, dated May 23, 1938, in 36th Supplemental Application No. 17984, that passengers will not be transported between two

points, both of which are east of Robertson Boulevard. In the instant proceeding it is proposed that this restriction shall be changed to read - "Passengers will not be carried between any two points, both of which are east of La Cienega Boulevard. This restriction does not prohibit the carrying of passengers between Los Angeles or intermediate points and La Cienega Boulevard or points west thereof."

Los Angeles Railway Corporation, in 35th Supplemental Application No. 19179, proposes to extend the westerly terminus of its Beverly Boulevard motor coach line from La Cienega Boulevard to Doheny Drive and, while the restriction as proposed herein would have some effect on this proposed extension, Los Angeles Railway Corporation, under date of August 5, 1940, has advised that it will offer no objection to the modification. This change appears to be in the public interest and will be granted.

H. Hollywood-Beverly Hills-University  
Motor Coach Line

Pacific Electric Railway Company, pursuant to certificates issued by this Commission, for many years has operated a motor coach service for the transportation of passengers between Hollywood, Beverly Hills, Westwood Village and intermediate points. The most recent definition of the route of this line is contained in Decision No. 27672, dated January 14, 1935, in 22nd Supplemental Application No. 17984. In the instant proceeding two slight changes in the present route are proposed to be made in the City of Beverly Hills. These changes have been requested by the Police and Traffic Commissions of said City of Beverly Hills as a means of effecting better distribution and operation of vehicular traffic. Neither of the changes is at any point at a greater distance than



one block from the route over which the present service is conducted and it therefore is inconceivable that any serious inconvenience could result to patrons of the line. Scheduled running time, headways or route mileage will not be affected; therefore, the request should be granted.

As has been previously related in the foregoing opinion, all of the above requests of Pacific Electric Railway Company for changes in route, extensions of service and modification of restriction appear to be reasonable and the following order will authorize them en toto.

Pacific Electric Railway Company 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 as to the number of rights which may be given.

#### O R D E R

A public hearing having been held, the matters having been submitted and the Commission being fully advised;

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the establishment and operation by Pacific Electric Railway Company of an automotive passenger stage service, as that term is defined in Section 2½ of the Public Utilities Act, for the transportation of passengers and baggage over the following described extension of

its Los Angeles-Redondo Beach motor coach line, to be consolidated with the remainder of its operating rights:

From Catalina Avenue & Avenue "I", Redondo Beach (Cliffton), over Catalina Avenue, Hollywood Palos Verdes Parkway, Granvia La Costa, West Palos Verdes Drive (Malaga Cove Plaza), to Via Corta; returning, over Via Corta, Del Puente, Granvia La Costa, Hollywood Palos Verdes Parkway and Catalina Avenue to Avenue "I."

IT IS HEREBY ORDERED:

I. That a certificate of public convenience and necessity be and it is hereby granted to Pacific Electric Railway Company for automotive passenger stage service for the transportation of passengers and baggage over the extension above described, subject to the following conditions:

- (1) Pacific Electric Railway Company 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) Pacific Electric Railway Company shall commence the service herein authorized within a period not to exceed thirty (30) days from the effective date hereof and shall file, in triplicate, and concurrently make effective, 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, rules and regulations which, in volume and effect, shall be identical with the proposed rates, rules and regulations shown in the application (41st Supplemental Application No. 17984), in so far as they conform to the certificate herein granted, or rates, rules and regulations satisfactory to the Railroad Commission.
- (3) Pacific Electric Railway 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 ten (10) days' notice to the Railroad 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 obtained.
- (5) The certificate herein granted shall be for a trial period of ninety (90) days from the commencement of the service. If, upon expiration

of the trial period, it is found that the revenue does not meet the out-of-pocket cost of providing the service, such operation may be discontinued without further order of this Commission. In the event it appears desirable to discontinue said service, the public and the Commission shall be afforded ten (10) days' notice, said notice to the Commission to show the operating revenues and expenses during said ninety-day period.

II. That Pacific Electric Railway Company be and it is hereby authorized:

A. To reroute its Los Angeles and Balboa motor coach line over and along the following route:

From Union Bus Depot at Fifth & Los Angeles Streets, Los Angeles, via Los Angeles Street, Fifth Street, Maple Avenue, Sixth Street, Boyle Avenue, Eighth Street, Olympic Boulevard, Ninth Street, Anaheim-Telegraph Road, Lakewood Boulevard; thence State Highway 101 through Huntington Beach to Newport Beach Junction; thence via Coast Boulevard (Newport Beach); thence through Balboa via Central Avenue, Ocean Boulevard and "I" Street to Central Avenue. Return via Central Avenue and the reverse of remainder of above route to Sixth Street, thence Sixth Street, Maple Avenue and Union Bus Depot;

Also an alternate route from the intersection of Hathaway and Ximeno Avenues in Long Beach, via Ximeno Avenue, Second Street, Central Avenue, and Main Street to junction with State Highway 101 in Seal Beach. Return via reverse of above alternate route;

instead of over the route established by Decision No. 33088, dated May 14, 1940, in 49th Supplemental Application No. 17964.

B. To reroute its Los Angeles-San Bernardino motor coach line over and along the following route:

Commencing at the Union Bus Depot located at Fifth and Los Angeles Streets, Los Angeles, via Los Angeles Street, Aliso Street, Ramona Boulevard, Garvey Avenue, Holt Avenue (City of Pomona), Alexander Ave., First Street (City of Claremont), Mills Avenue, Sixth Street, West Arrow Highway East Arrow Highway (City of Upland), San Bernardino Road, Foothill Boulevard, Mt. Vernon Avenue and Third Street to Pacific Electric Station, between "E" and "F" Streets in San Bernardino, and return via the reverse thereof;

Also, an alternate route in the City of Pomona via Holt Avenue, Main Street, private right-of-way through Southern Pacific Company's station grounds (or via Commercial Street), Carey Avenue, thence connecting with the through route described above at Holt Avenue, and return via the reverse thereof;

Also, alternate route in the City of Upland via East Arrow Highway, Second Avenue, private right-of-way in front of Pacific Electric Station, Third Avenue, thence connecting with the through route described above at East Arrow Highway, and return via the reverse thereof;

instead of over the route established by Decision No. 33088, dated May 14, 1940, in 40th Supplemental Application No. 17984.

C. To reroute its Los Angeles-Redlands line through the City of Pomona via Second Street, Main Street, Commercial Street or private right of way through station grounds, Garey Avenue and Holt Avenue, instead of via Second Street, Main Street, Third Street, Gordon Street, Second Street, Garey Avenue and Holt Avenue, as presently operated.

D. To reroute its Glendale-Verdugo City-La Canada motor coach line over and along the following route:

From Broadway & Brand Boulevard, Glendale, along Broadway, Glendale Avenue, Verdugo Road, Canada Boulevard, Verdugo Road and Honolulu Avenue to La Crescenta Avenue, Verdugo City. Also from intersection of Verdugo Road & Honolulu Avenue, along Verdugo Road, La Granada Way, and Foothill Boulevard to Commonwealth Avenue;

instead of over the route established by Decision No. 32599, dated December 5, 1939, on 40th Supplemental Application No. 17984.

E. To reroute its Los Angeles-Redondo Beach motor coach line over and along the following route:

Commencing at Motor Coach Loading Deck between 4th and 5th Streets and between Olive and Hill Streets, Los Angeles, via Olive Street, 23rd Street, Flower Street, Figueroa Street, Slauson Avenue, La Tijera Boulevard, Sepulveda Boulevard, Imperial Highway, Main Street (El Segundo), Grand Avenue, Coast Boulevard, Highland Avenue, Center St., Manhattan Avenue, Manhattan Court, Hermosa Avenue, Pacific Avenue (Redondo Beach), and Catalina Avenue to Avenue "I"; return via reverse of said route;

Also, alternate route from the intersection of Olive Street and Venice Boulevard, via Venice Boulevard, Culver Boulevard, and Vista Del Mar to Coast Highway (El Segundo), and return via reverse of said route;

instead of over the route established by Decision No. 32599, dated December 5, 1939, on 40th Supplemental Application No. 17984.

F. To reroute its Los Angeles-Santa Monica via Beverly Hills motor coach line over and along the following route:

From off-street terminal at California & Hill Streets, Los Angeles, via Hill Street, Olympic Boulevard, Genesee Street, San Vicente Boulevard, Burton Way, Canon Drive, Santa Monica Boulevard, Ocean Avenue, Pico Street, and Main Street to Pier Avenue in Ocean Park; returning via the reverse thereof to intersection of Santa Monica Boulevard and Canon Drive, Beverly Hills, thence Santa Monica Boulevard, Crescent Drive, Burton Way, San Vicente Boulevard, Olympic Boulevard, Hill Street, and California Street to terminal, Los Angeles;

instead of over the route established by Decision No. 33088, dated May 14, 1940, in Second Amended 40th Supplemental Application No. 17984.

G. To reroute its Hollywood-Beverly Hills-University motor coach line over and along the following route:

Commencing at the intersection of Beachwood Drive & Westshire Drive, via Beachwood Drive, Franklin Avenue, Argyle Street, Yucca Avenue, Vine Street, Hollywood Boulevard, Laurel Canyon Road, Sunset Boulevard, Hilgard Avenue, University Avenue, Hilgard Avenue, Le Conte Avenue and Westwood Boulevard to Wilshire Boulevard;

Also, from intersection of Sunset Boulevard & Crescent Heights Boulevard, via Crescent Heights Boulevard, Santa Monica Boulevard and Holloway Drive to Sunset Boulevard;

Also, from intersection of Sunset Boulevard & Rodeo Drive, Beverly Hills, via Rodeo Drive, Lomita Avenue, Beverly Drive, Park Way, Canon Drive, Wilshire Boulevard, Camden Drive and Brighton Way to Canon Drive;

Also, the following tripper service route: Commencing at the intersection of Vermont Avenue & Hollywood Boulevard, via Hollywood Boulevard, Highland Avenue, and Santa Monica Boulevard to Crescent Heights Boulevard, thence regular route to University of California, Westwood;

instead of over the route established by Decision No. 27672, dated January 14, 1935, in 22nd Supplemental Application No. 17984.

The reroutings herein authorized are subject to the following conditions:

- (1) Applicant shall afford the public at least five (5) days' notice of the changes in route authorized herein, by the posting of notices in all motor coaches operating on the various lines and at all stations affected.
- (2) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the effecting of the changes in route authorized herein.

III. That Pacific Electric Railway Company be and it is hereby authorized to abandon its Motor Transit district depot located at 295 South Main Street in the City of Pomona, and consolidate its station facilities with those of Southern Pacific Company located between Garey Avenue and Main Street just south of Commercial Street in the said City of Pomona.

IV. That Pacific Electric Railway Company be and it is hereby authorized to modify the restriction imposed on its Beverly Boulevard-Sunset Boulevard motor coach line by Decision No. 30905, dated May 23, 1938, in 36th Supplemental Application No. 17984, to read as follows:

"Passengers will not be carried between any two points, both of which are east of La Cienega Boulevard. This restriction does not prohibit the carrying of passengers between Los Angeles or intermediate points and La Cienega Boulevard, or points west thereof."

The Commission reserves the right to make such further order or orders in this entire proceeding as to it may appear just

and reasonable and to revoke the authority granted herein if, in its opinion, public convenience and necessity demand such action.

The authorization herein granted shall lapse and become void if not exercised within one year from the date hereof, unless further time is granted by subsequent order.

In all other respects, Decisions Nos. 27672, 30905, 32599 and 33088, as amended shall remain in full force and effect.

For all other purposes the effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 3<sup>rd</sup> day of December, 1940.

Ray L. Ricey  
James D. Blum  
H. B. ...  
Justice J. ...  
Commissioners.