

Decision No. 35782

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the)
INTERURBAN ELECTRIC RAILWAY COMPANY for) Application No. 23312
authority to discontinue its operations.)

In the Matter of the Application of KEY)
SYSTEM for Certificates of Public Con-)
venience and Necessity to operate certain) Application No. 23313
Interurban Railway and/or Motor Coach)
Service in the City and County of San)
Francisco and Counties of Alameda and)
Contra Costa.)

An Investigation on the Commission's own)
motion into the operations of Interurban)
Electric Railway Company, Key System, and) Case No. 4478
East Bay Transit Company re rates, service,)
and facilities.)

APPEARANCES:

E. J. FOULDS and F. J. GALLAGHER, for the Interurban Electric
Railway Company.

DONAHUE, RICHARDS & HAMLIN, by FRANK S. RICHARDS, for Key System.

JOHN F. HASSLER, City Manager, F. B. FERNHOFF, City Attorney,
KERWIN ROONEY, Deputy City Attorney, and WALTER W. COOPER,
Public Utility Statistician, and HOMER W. BUCKLEY, Assistant
City Attorney, for the City of Oakland.

CHESTER C. FISK, City Manager, FRED C. HUTCHINSON, City Attorney,
MARSHALL RICKSEN, Assistant City Attorney, and JOHN D.
PHILLIPS, Assistant City Attorney, for the City of Berkeley.

CHARLES R. SCHWANENBERG, City Manager (also for Alameda Chamber of
Commerce), H. ALBERT GEORGE, City Attorney, HENRY WEICHERT,
Mayor, and MILTON C. GODFREY, ALBERT C. CARRINGTON, REX
MURER and BERT W. MORRIS, Councilmen, for the City of
Alameda.

JOSEPH J. YOUNG, City Attorney, and B. W. MONDAY, Councilman,
for the City of Albany.

ALBERT L. POE, City Attorney, and PAUL J. DEMPSEY, City Attorney
of San Leandro, substituted for the former appearance of
Albert L. Poe, for the City of San Leandro.

GEORGE J. LACOSTE, City Attorney, for the Town of Emeryville.

JOHN J. O'TOOLE, City Attorney, DION R. HOLM, Utilities Council,
and PAUL BECK, for the City and County of San Francisco.

HERBERT W. ERSKINE and EDWARD P. MURPHY, Attorneys, and FRANK W.
CLARK, Secretary (also Director of Public Works for the
State of California), for the California Toll Bridge
Authority.

N. D. PRITCHETT and CLIFTON HILDEBRAND, for the various Railroad Brotherhoods and Labor Organizations.

WILBUR S. PIERCE, for the Amalgamated Association of Street Railway and Motor Coach Employees of America, Division 192.

EDWIN G. WILCOX, for the Oakland Chamber of Commerce.

J. D. SARBER, for the Berkeley Chamber of Commerce.

WALTER A. ROHDE, for the Chamber of Commerce of the City and County of San Francisco.

JOHN DEADRICH and LESLIE FREEMAN, for the San Leandro Chamber of Commerce.

NORMAN OGILVIE and PORTER GILES, for the Oakland Real Estate Board.

IRVIN H. KAHN, and DUDLEY F. FROST, for the Downtown Property Owners Association, Oakland.

FRED E. REED, for the East Bay Regional Planning Association.

F. C. STARR and JOHN A. BOHN, for the Central Council of East Bay Service and Improvement Clubs.

C. B. HUNTER, for the Glenview Improvement Club and East Bay Central Council of Civic and Improvement Clubs.

A. W. BROWN, for the Berkeley View Terrace Association.

FRANK NEVILLE, for the Alameda Real Estate Board.

W. K. POWELL, for Fernside Home Owners Association, and Fernside Marina.

J. RAGNAR MONTIN, for Alameda Municipal Transportation League.

JAMES J. CHAPMAN, for the California Citizens Research Foundation.

A. B. SWEZEY, for Waterside Terrace Thompson Home Owners Association.

MRS. FRANK CROSSETT, Alameda Woman's Improvement Club.

G. J. RICHARDSON, for Encinal Terminal.

GEORGE P. MILLER, in propria persona.

F. P. KENSINGER, in propria persona.

ROY COVERT, in propria persona.

J. C. PARSONS, in propria persona.

C. C. HOWARD, in propria persona.

FRANK A. GOTTSTEIN, in propria persona.

C. E. MASON, in propria persona.

CHARLES L. TILDON, in propria persona.

JOHN A. FERGUSON, in propria persona.

RILEY, COMMISSIONER:

FIRST INTERIM OPINION

This interim opinion and the interim order to follow are confined to the issues of the above-numbered consolidated matters only in so far as they are related to the subject of interurban passenger service between San Francisco and Alameda, all other phases being reserved for future disposition.

By its Second Supplemental Application No. 23313, filed November 20, 1940, Key System seeks a certificate of public convenience and necessity for the operation of motor coach service between Alameda and San Francisco over a specific route via Oakland and the San Francisco-Oakland Bay Bridge. Applicant's action is in anticipation of the discontinuance by Interurban Electric Railway Company⁽¹⁾ of its transbay interurban rail passenger service between San Francisco and Alameda.

A review of transpired events leading up to the instant application indicates that Interurban Electric filed an application⁽²⁾ with this Commission requesting authority to discontinue transbay interurban rail passenger service upon all of its lines operating between San Francisco and the East Bay cities. On the same date Key System filed an application⁽³⁾ requesting authority to expand its present rail and motor coach service so as to adequately

(1) Hereinafter sometimes referred to as Interurban Electric.

(2) Application No. 23312, filed February 26, 1940.

(3) Application No. 23313, filed February 26, 1940.

cover the territory now served by Interurban Electric which would otherwise be left without passenger transportation in the event of discontinuance of service by that carrier. In its original application Key System proposed no specific type of service or definite plan of routing, but stated that in the event Interurban Electric should be granted the right to discontinue service an amended or supplemental application would be filed setting forth in detail a proposal for new service designed in accordance with the requirements of public convenience and necessity.

Prior to the filing of the above-mentioned applications an investigation was instituted upon the Commission's own motion⁽⁴⁾ into all phases of operation of Interurban Electric and Key System, the two transbay interurban operators, and East Bay Transit Company, a Key System affiliate which provides urban rail and motor coach service in the East Bay area.

Public hearings were held on the original applications and the Commission's Case, the matter relating to Interurban Electric's request for authority to abandon service was submitted,⁽⁵⁾ and a decision issued⁽⁶⁾ granting Interurban Electric Railway Company the right to discontinue its passenger service upon a conditional basis, as follows:

"IT IS ORDERED that Interurban Electric Railway Company be and hereby is authorized to discontinue all of its interurban passenger transportation service between San Francisco and points in the East Bay communities of Alameda County, and to cancel its tariffs and time schedules after notice given in conformity with the rules of the Commission; provided, however, that the authorization hereby given shall not become effective until a date to be fixed by the Commission, by further order supplemental hereto, when the proposed inauguration of substitute passenger transportation service or services may appear to justify such action."

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- (4) Case No. 4478, filed January 16, 1940
 (5) Application No. 23312 submitted July 1, 1940.
 (6) Decision No. 33445, dated August 24, 1940.

Inasmuch as the status of Interurban Electric was determined by that decision on a conditional basis, the order herein, in addition to adjudicating the Second Supplemental Application of Key System, will also provide for final disposition of Interurban Electric's application in so far as it relates to service between the cities of San Francisco and Alameda.

It is recognized that the logical approach to the problem presented by the pending matters in this consolidated record would be to proceed to a conclusion with all phases of the issues involved in order that the complete financial status of Key System might be known under present conditions as well as under the conditions of extended service which it is herein offering. However, existing adverse conditions indicate the urgency of expedited action. Trans-bay interurban passenger service between San Francisco and the East Bay area has for many years been conducted at a financial loss by Interurban Electric and its predecessor, Southern Pacific Company. (7) The Bay Bridge was opened to automotive vehicular traffic in the latter part of 1936, and for each of the two following years Interurban Electric experienced an operating loss in excess of \$1,000,000 after providing for taxes and depreciation - more than double the loss for 1936. For the year 1939, which was the first year of interurban rail operation over the bridge, the loss was reduced to \$907,963. This condition persistently prevails and unless immediate action is taken to relieve the extreme financial distress, Interurban Electric may be forced to seek liberation through bankruptcy proceedings which might create a chaotic condition in the absence of a suitable substitute service to meet the needs of the thousands of persons traveling daily over the rail lines of that carrier. By sufferance Interurban Electric has elected to endure the absorption

(7) Exhibit No. 25, submitted June 27, 1940.

of heavy losses pending the development of a satisfactory substitution for the service it now provides. Under these justifying circumstances the procedure adopted of segregating the several service areas for individual consideration and disposition appears to be in the interest not only of the carriers involved but also of the general public.

(8)
A public hearing was held in Alameda at which the Vice President and General Manager of Key System submitted evidence in support of the Plan of service offered in his company's Second Supplemental Application, hereinafter sometimes referred to as Plan "A." A report was submitted by the Commission's Transportation Research Engineer (9) setting forth the results of an extensive study of several plans of service, and recommending a plan somewhat at variance with that proposed by applicant, sometimes hereinafter referred to as Plan "B." Representatives of the City of Alameda, both official and individual, approved the plan offered by the company in preference to that suggested by the Commission's engineers. Official representatives of the California Toll Bridge Authority participated to the extent of opposing any action that would jeopardize the financial integrity of the investment in the San Francisco-Oakland Bay Bridge, which is owned and operated by the State of California.

That portion of the City of Alameda considered herein occupies a narrow island located south of and immediately adjacent to the City of Oakland, separated from the mainland by the Estuary, a navigable tidal canal. The main body of the island, excluding the Mole and the location of the Alameda Naval Air Base, is about 4-1/4 miles in length, and varies in width from approximately one mile to 1-1/2 miles. On a direct line from the Ferry Building at the foot of Market Street in San Francisco to the most westerly tip of the island

(8) On November 20, 1940.

(9) Exhibit No. 43, Part II of Volume IV.

at the old ferry terminal, the distance is about 3-1/2 miles and about 8 miles to the central business area of Alameda. Industrial activities are confined to the area fronting on the Estuary, varying in width from a narrow strip on the east at High Street to a width of about 4,000 feet at Webster Street on the west. The main business section has developed along Park Street in the eastern end of the city where the width of the residential area is about 1-1/2 miles, and on the western end there is a secondary business district along Webster Street where the residential area is only about 2,000 feet wide.

Interurban Electric at present provides transbay interurban passenger service between San Francisco and Alameda over its Encinal Avenue and Lincoln Avenue rail lines, both services operating on common track over the San Francisco-Oakland Bay Bridge and through the southern edge of Oakland to the only rail connection with Alameda via the Fruitvale Bridge across the Estuary at the eastern end of the island. After reaching Alameda the two lines diverge and operate generally over parallel tracks throughout the entire residential portion of the city at a distance apart of only approximately one-fourth of a mile for half the distance, about one-half mile for one-fourth the distance, and about 3,500 feet for the remainder. The lines again enter upon common track at the western end of the island and proceed to a terminus at West Alameda. This location and routing of rail lines in Alameda is the same under present conditions as they were under ferry boat operation, except that no rail service is now provided to the old ferry boat terminal at the Alameda Mole.

The existing rail lines serving Alameda were not originally located or designed as a unified interurban passenger system, but represent the efforts of competitive carriers which have so often resulted in unnecessary duplication. The Lincoln Avenue line was

originally constructed in 1864, and in 1869 transcontinental steam train operation was commenced over the route. In 1878 a narrow gauge steam line was placed in service between South Park Street in Alameda and the town of Newark, and later in that year extended westerly over the present Encinal Avenue route. The line was later standard-gauged in 1907. At the time of their construction the lines were used primarily for through operation, connecting with ferry boats to San Francisco. The Encinal Avenue line was owned by the South Pacific Coast Railway Company, and the Lincoln Avenue line by the San Francisco and Alameda Railroad Company. In 1870, at approximately the time of the original construction of the two rail lines, the population of Alameda was only 1,557 persons, and in 1890 it was 11,165. The most recent census figures for 1940 establish the population at 38,800.

Subsequent to the original construction of these lines Alameda has grown into a thickly populated residential area, and the two rail lines, which were electrified in 1911 as part of the Southern Pacific Company's East Bay electric system, have remained in place. Upon construction of the San Francisco-Oakland Bay Bridge and discontinuance of all transbay interurban passenger ferry service, operation to Alameda was of necessity routed through Oakland over the Seventh Street line to Fruitvale Junction, thence across the Estuary via the Fruitvale Bridge, entering Alameda at the eastern end of the island, most remotely located from San Francisco. By reason of that routing those persons residing on the western end of the island were subjected to considerably increased travel time due to the circuitous route followed, but to the eastern portion of the city travel time was reduced to some extent.

Operating statistics applying to the two rail lines of Interurban Electric, as shown by Exhibit No. 25, as of November, 1940, are as follows:

	<u>L I N E</u>	
	<u>Encinal</u>	<u>Lincoln</u>
	<u>Avenue</u>	<u>Avenue</u>
<u>EASTBOUND</u>		
Average weekday Load Factor	50.0%	47.0%
Route Miles	19.76	18.02
Peak Travel Time - Minutes	51	46
" Scheduled Speed - M.P.H.	23.3	23.5
Trips per day - Weekday	23	21
<u>WESTBOUND</u>		
Route Miles	19.97	18.23
Peak Travel Time - Minutes	56	50
" Scheduled Speed - M.P.H.	21.4	21.9
Trips per day - Weekday	21	21
<u>CARS ASSIGNED</u>		
Maximum in Service	28	
Minimum in Service	4	

The two Alameda lines carry about 22 per cent of the total transbay passengers of Interurban Electric's entire East Bay system. For the 12-month period ending September 30, 1940, the total number of passengers carried on the Alameda lines was 2,089,091, and the corresponding revenue amounted to \$268,502.

Both the plan of substitute service submitted by Key System and that proposed by the Commission's engineers, Plans "A" and "B" respectively, are in agreement that transbay interurban passenger transportation should be provided by motor coaches operating through the Posey Tube, in lieu of existing rail service.

Plan "A" proposes a through motor coach service between San Francisco and Alameda only during the periods of the day when heavy commutation traffic moves. Leaving Alameda westbound such service would be provided between 5:48 and 8:36 a.m., and leaving San Francisco eastbound, between 3:00 and 6:45 p.m. In Alameda the service would be divided and routed over the same streets now traversed by the rail lines east of Webster Street, except for necessary deviations at terminal loops. Throughout the off-peak periods of the day no interurban service would be provided along the routes followed by the through commutation motor coaches. All persons desiring to

employ the Key System service between Alameda and San Francisco during the off-peak periods would be obliged to avail themselves of transportation on the local motor coach lines of East Bay Transit Company operating between Alameda and points of transfer with either the 12th Street or 22nd Street interurban rail line of Key System in Oakland. In the City of Alameda the local motor coach lines are routed over different streets from those along which the proposed peak period operation would be provided.

Plan "B," submitted by the Commission's staff, is designed to provide through motor coach service between Alameda and San Francisco throughout the entire operating period of the day over a permanent and fixed route in Alameda. From the Posey Tube to San Francisco the routing proposed is essentially the same as that of applicant. In Alameda the plan contemplates operation south on Webster Street from the tube to Santa Clara Avenue, thence easterly on Santa Clara Avenue to Park Street. From that point the service would divide, with alternate coaches proceeding on Santa Clara Avenue to High Street, thence northerly to a terminal at Fernside Drive. The other branch would be south on Park Street to Encinal Avenue, thence easterly along the present route of the Encinal Avenue rail line to a terminal at South High Street. This type of operation would allow for a uniform base headway of 20 minutes from San Francisco to the intersection of Park Street and Santa Clara Avenue, and a 40-minute service beyond that point for each of the branches supplemented by a more frequent headway during peak traffic periods in accordance with traffic demands.

Santa Clara Avenue is approximately centrally located on the long axis of the island, extending from one end to the other and paralleling the two existing rail lines throughout most of the residential area. It is located at a distance of not more than 800 feet south of the Lincoln Avenue rail line from Webster Street to

Park Street, and not more than 1,500 feet north of the Encinal Avenue line from Webster Street to High Street. With exception of a very small area along the southern edge of the island and another on the western end beyond Fifth Street, the entire residential territory of Alameda is within 2,000 feet of the proposed route. Only a very few transbay passengers reside in those areas and in each instance local motor coach service is conveniently located. An extensive analysis of traffic movement was made by the Commission's staff, involving an origin and destination check of all passengers using the two inter-urban rail lines on a typical weekday. Based upon the results of that check it was contended that the adoption of the Santa Clara Avenue routing would not require any of those passengers using the present rail service to walk an unreasonable distance and that the disadvantage of increased walking distance would be more than compensated for by the elimination of confusion to passengers that would result from shifting interurban transportation from one street to another during different periods of the day, as proposed by applicant.

It was contended by applicant and the City of Alameda that Key System's proposed plan would provide a minimum of inconvenience to the maximum number of persons traveling between Alameda and San Francisco during the peak periods of commutation travel, and that the shifting of motor coach routes to streets other than those now traversed by rail lines would result in heavy loss of business to the many small stores and public service institutions which have grown up in the vicinity of the existing rail stations. It was further contended by the city that the traffic congestion existing on Webster Street and on Park Street would not allow for the satisfactory operation of the routing as proposed by the Commission's witness. It was brought out, however, that on those streets where such congestion is complained of, most efficient use of the street surfaces for moving traffic is prevented by diagonal parking of vehicles.

A comparison of the estimated average annual financial results of the two plans as developed by applicant and the Commission's staff is as follows:

	Operating Revenue	Operating Costs	Net Operating Revenue	Equipment Required	
				No. of Units	Passenger Capacity
<u>Plan "A"</u>					
Company	\$280,729	\$239,318	\$41,411	45	41
Commission	268,300	220,180	48,120	49	45
<u>Plan "B"</u>					
Commission	\$280,000	\$229,950	\$50,050	48	45

Although no extensive detailed support of its plan was submitted by Key System, estimates by the Commission's staff established the following comparison of operating characteristics for a typical weekday:

PLAN "A" - (Peak Period Operation Only)

	L I N E			
	WESTBOUND		EASTBOUND	
	Encinal	Lincoln	Encinal	Lincoln
Schedules per day	40	43	42	44
First a.m. departure	5:50 AM	5:40 AM	6:28 AM	6:18 AM
Last " "	8:45 AM	8:45 AM	7:54 AM	8:05 AM
First p.m. " "	4:01 PM	3:42 PM	3:20 PM	3:00 PM
Last " "	5:52 PM	6:02 PM	6:30 PM	6:40 PM
Min. H'way	4 Mins.	4 Mins.	3 Mins.	4 Mins.
Max. H'way (Peak Direct.)	20 Mins	20 Mins	20 Mins	30 Mins
Max. Schedules per Hour	18	20	21	21
Express Trips	10	10	8	9
Local Trips to Walnut St.	10	10	8	9
Local Trips Through	20	23	26	26

PLAN "B" - (All Day Operation)

	EASTBOUND	WESTBOUND
	Schedules per day	117
First a.m. departure	6:13 AM	5:35 AM
Last p.m. " "	1:00 AM	12:22 AM
Min. H'way	3 Mins.	1 Min.
Max. H'way	40 Mins.	40 Mins.
Base H'way	20 Mins.	20 Mins.
Max. Schedules per hour	34	42
Express Trips	23*	24**
Local Trips to Walnut St.	23	24
Local Trips Through	71	64

* First Stop Park Street
 ** Last Stop Park Street

Both the plan of applicant and that of the Commission's staff included the adoption of a universal transfer for application to transbay service requiring the use of a local motor coach or rail line of East Bay Transit Company as a part of a through trip to or from San Francisco over interurban lines of Key System. Under this plan a passenger finding it necessary to use both a local line and an interurban line on a trip between San Francisco and Alameda could do so for the payment of an interurban fare, obtaining a free transfer between the lines.

Although the adoption of either of the plans submitted would involve the establishment of a terminal at or in the immediate vicinity of the present San Francisco Bridge Railway Terminal located between First and Fremont Streets on Mission Street, no definite plans for the use of the terminal facilities to accommodate motor coach operation were submitted. The record indicates thus far that the most suitable point for loading and unloading passengers in San Francisco, at least on a temporary basis, is on the east side of Fremont Street directly under the overhead rail approach to the passenger terminal. To that extent any provision for such terminal facilities in connection with the Alameda service should be considered subject to change upon more mature and exhaustive study of the matter.

The matter here considered involves the remodeling of the service and facilities of existing carriers toward the end of providing the maximum service to the public at the lowest cost that can be justified. In selecting the type of service that will best fit the needs of any specific situation, consideration must be given to public necessity, service requirements, characteristics of the area, cost of operation, cost of new facilities, and revenue. The problem must be considered from both the point of view of the economic advantages that might accrue to the carrier, as well as from the stand-

point of the comfort, convenience, and desires of the riding public. If too little emphasis is given to the economic phases, and the desires of the riding public overstressed, a condition could be created whereby insufficient revenue would be realized to justify continued operation.

In this instance the financial issues of the two proposals are in close accord, leaving the elements of routing and service as the principal points of difference. Although the plan of service proposed by this Commission's staff is designed more nearly in accordance with recognized principles of efficient operating practice and established rules laid down in the past than is that offered by applicant, and embodies the necessary features to provide the City of Alameda with an adequate passenger transportation system in keeping with the actual requirements of the area, the people of Alameda, through their duly appointed representatives, almost unanimously favored the plan submitted by Key System. In this instance, where no serious financial differences exist between the plans submitted, and in recognition of the fact that ultimately when the entire East Bay transportation problem has been studied the desirability of further change may be indicated, the plan offered by Key System appears to be worthy of a trial. Sight must not be lost, however, of the fact that the disposition of the Alameda situation is only part of the total problem confronting the Commission, and although the financial results possible of realization from this Alameda operation appear favorable, they may not be so in regard to the remaining operations of Interurban Electric which Key System anticipates superseding. The overall plan must be designed in such a manner as to absorb or eliminate the annual loss experienced by Interurban Electric under present operating conditions. Realizing the uncertainty of the results which may be developed, as relating to

the remainder of Interurban Electric's rail system, the operation authorized herein should be given subject to further review by the Commission at such time as its staff shall have completed its investigation and all of the related facts are available.

FIRST INTERIM ORDER

A public hearing having been held in these consolidated matters in so far as passenger transportation service between the cities of San Francisco and Alameda are involved, that phase of these matters having been submitted, the Commission being fully apprised in the premises, and it being found as a fact that public convenience and necessity so require;

I

IT IS HEREBY ORDERED that a certificate be, and it hereby is, granted to Key System for the operation of an automotive passenger stage service, as that term is defined in Section 2½ of the Public Utilities Act, for the transportation of passengers between (1) a point at or in the vicinity of the San Francisco terminal of the Bridge Railway, located between First and Fremont Streets on Mission Street, in the City of San Francisco, and (2) points in the City of Alameda, said operation being subject to the following conditions:

- (1) The service herein authorized shall commence within a period of not to exceed six (6) months from the effective date hereof.
- (2) The service herein authorized shall be placed in effect immediately following discontinuance of passenger rail service by Interurban Electric Railway Company, with no disruption or discontinuance of passenger service between the cities of San Francisco and Alameda.

- (3) The service herein authorized shall not be commenced until there shall have been established in conformity with the rules of this Commission a joint fare arrangement between Key System and East Bay Transit Company that will provide for the joint use of the lines of both carriers by passengers traveling between San Francisco and Alameda at fares for such through passage not to exceed those presently in effect on transbay rail lines of Key System for passage between San Francisco and the East Bay cities.

II

IT IS HEREBY FURTHER ORDERED that in the operation of said passenger stage service pursuant to the foregoing certificate, Key System shall comply with and observe the following service regulations:

- (1) Written acceptance of the certificate herein granted shall be filed within a period of not to exceed thirty (30) days from the date hereof.
- (2) Subject to the authority of this Commission to change or modify such at any time by further order, Key System shall conduct said passenger stage operation over and along the following described routes:

LINCOLN AVENUE LINE:

Commencing at the intersection of Lincoln Avenue and Versailles Avenue in the City of Alameda; thence proceeding along Lincoln Avenue to High Street; High Street to Fornsido Boulevard; Fornsido Boulevard to Versailles Avenue; Versailles Avenue to Lincoln Avenue; Lincoln Avenue to Webster Street; thence via Webster Street through the Posoy Tube to Harrison Street in the City of Oakland; thence along Harrison Street to Seventh Street; Seventh Street to Cypress Street; Cypress Street to and over the San Francisco-Oakland Bay Bridge approach; thence over the San Francisco-Oakland Bay Bridge to Essex and Harrison Streets in the City of San Francisco; thence along Essex Street to Folsom Street; Folsom Street to Promont Street; and Promont Street to the San Francisco Interurban Terminal; returning via Promont Street to Mission Street; Mission Street to Main Street; Main Street to Folsom Street; Folsom Street to Essex Street; thence returning via the reverse of the above route.

ENCINAL AVENUE LINE:

Commencing at the intersection of Liberty Avenue and High Street in the City of Alameda; thence proceeding along Liberty Avenue to Fornsido Boulevard; Fornsido Boulevard to Encinal Avenue; Encinal Avenue to Central Avenue; Central Avenue to Webster Street; thence via Webster Street through

the Posey Tube to Harrison Street in the City of Oakland; thence along Harrison Street to Seventh Street; Seventh Street to Cypress Street; Cypress Street to and over the San Francisco-Oakland Bay Bridge approach; thence over the San Francisco-Oakland Bay Bridge to Essex and Harrison Streets in the City of San Francisco; thence along Essex Street to Folsom Street; Folsom Street to Fremont Street; and Fremont Street to the San Francisco Interurban Terminal; returning via Fremont Street to Mission Street; Mission Street to Main Street; Main Street to Folsom Street; Folsom Street to Essex Street; thence returning via the reverse of the above route.

- (3) 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 Order, and containing rates, rules, and regulations which, in volume and effect, shall be identical with the proposed rates, rules, and regulations shown in the exhibits attached to First and Second Supplemental Application No. 23313 in so far as they conform to the certificate herein granted, or rates, rules, and regulations satisfactory to this Commission.
- (4) File and make effective within a period of not to exceed six (6) months from the effective date of this order, on not less than ten (10) days' notice to this Commission and the public, time schedules covering the service herein authorized, in a form satisfactory to this Commission.
- (5) The operation herein authorized shall be conducted in conformance with the service and schedules as described in the application.

III

It being found as a fact that Key System is ready, willing, and able to establish a passenger stage operation between the cities of San Francisco and Alameda in substitution for the passenger rail service now provided by Interurban Electric Railway Company, and that said passenger stage service certificated herein meets the requirements of this Commission's order in Decision No. 33445 on Application No. 23312, and it being in the public interest;

IT IS HEREBY FURTHER ORDERED that upon commencement by Key System of the automotive passenger stage service authorized herein, Interurban Electric Railway Company be, and it hereby is, authorized to discontinue its passenger rail service between the cities of San

Francisco and Alameda, upon not less than ten (10) days' notice to this Commission and to the public, and to cancel, in accordance with the rules of this Commission, all tariffs and operating schedules applicable thereto.

IV

The foregoing Interim Opinion and Interim Order are hereby approved and ordered filed as the Interim Opinion and Interim Order of the Railroad Commission of the State of California.

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 17th day of December, 1940.

Ray L. Riley
Stanley D. Wells

H. B. L.
Justus D. Cullen
Commissioners