

Decision No. 34687**ORIGINAL**

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of: )

PACIFIC ELECTRIC RAILWAY COMPANY, a )  
 corporation, for authority to discon- )  
 tinue the operation of rail passenger )  
 service between Covina, Pomona and )  
 San Bernardino and to abandon tracks )  
 between Pomona Jct. and Pomona on the )  
 Los Angeles-San Bernardino Line. )

Application No. 24393,  
(As Amended).

PACIFIC ELECTRIC RAILWAY COMPANY, a )  
 corporation, for an In Lieu Certificate )  
 of public convenience and necessity. )

47th Suppl. Application  
 No. 17984  
 (Establish alternate route  
 on L.A.-San Bernardino via  
 Foothill Blvd. Line and re-  
 route service in Pomona.)

FRANK KARR and C. W. CORNELL, for Applicant.

DAILY S. STAFFORD, City Attorney, for City of Covina.

J. M. STANTON, in propria persona.

J. M. DOWNEN, for Masonic Home at Covina.

RAY L. CHESEBRO, City Attorney, by GILMORE TILLMAN, Assistant  
 City Attorney and K. CHARLES BEAN, General Manager, Board of  
 Public Utilities and Transportation, for City of Los Angeles.

W. P. NUTTER, 314 Central Building, Los Angeles, for Brother-  
 hood of Railroad Trainmen.

FRANK PELLIET, 3336 Idell Street, Los Angeles, for Brotherhood  
 of Railroad Trainmen.

JAMES L. DAUGHERTY, for Local 1420, United Electrical Radio  
 and Machine Workers of America.

RILEY, COMMISSIONER:

O P I N I O N

Pacific Electric Railway Company, by the above entitled application, seeks authority to discontinue regular passenger service on that portion of its Los Angeles-San Bernardino rail line east of Covina; to restrict rail operations on that section of the line between Baldwin Park and Covina to peak traffic periods; to establish in lieu of the rail service east of Covina a through motor coach line from Los Angeles to San Bernardino; to make other incidental changes in existing motor coach routes; and to abandon certain portions of track and roadway that will be rendered no longer useful upon discontinuance of passenger service by rail east of Covina. Said applications were filed

on August 15, 1941, a public hearing was held in Los Angeles on September 18, and the matter was taken under submission on that date.

In its application Pacific Electric Railway Company makes the following allegations in support of the modification of service and facilities requested:

- (1) Engineers of the Railroad Commission in a report submitted in 1939 contended that the traffic characteristics of the Los Angeles-San Bernardino rail line beyond Covina did not justify continued rail passenger service. (1)
- (2) Subsequent to that report, applicant sought and was granted authority to decrease passenger rail service between Los Angeles and San Bernardino to four round trips daily and to supplement the remaining rail service with a through motor coach line, (2) which service has been in effect since June 9, 1940.
- (3) The partial motor coach substitution referred to in Item (2) above was effected as a step toward carrying out the recommendations made by the Commission's engineers which appeared to be justified by further independent study on behalf of applicant, and further studies made subsequent to establishment of the co-ordinated rail and motor coach operation provide further evidence that rail passenger service beyond Covina should be discontinued.
- (4) The proposed motor coach service will provide a more convenient routing through the cities of La Verne, San Dimas, and Covina than is afforded by the present rail route, in addition to providing an improved service to the rapidly developing district along Garvey Avenue between Covina Boulevard and Tyler Avenue in El Monte.
- (5) It is desirable that rail facilities be retained to adequately transport the large volume of patronage to the Los Angeles County Fair during September of each year as a supplement to the seasonal motor coach operations, which, in themselves, could not reasonably accommodate the traffic.
- (6) It is estimated that the proposed plan will result in an annual improvement of financial status on a cash basis of approximately \$21,000 over present operations, and approximately \$99,000 over the expenditures that would be incurred under normal operations at an increased standard of maintenance.
- (7) The proposed plan will obviate the necessity for expending approximately \$215,000 for track renewals.

Applicant conducts both passenger and freight operations.

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- (1) Exhibits Nos. 71, 73, 76, and 87 in Application No. 21656.
  - (2) Decision No. 33088, dated May 14, 1940.

over its electrified rail line between Los Angeles and San Bernardino serving en route the cities of El Monte, Covina, La Verne, Pomona, Claremont, Upland, San Bernardino and intermediate points. In total length the line extends 57.6 miles and, except for relatively short sections of paved track in Los Angeles, Covina, Pomona and San Bernardino, consists of open track constructed on private right of way, double-tracked to Covina and single-tracked beyond. Distances between Los Angeles (6th and Main Streets) and various points en route to San Bernardino as well as the number of trips presently operated over the rail line are as follows:

EASTBOUND FROM LOS ANGELES

<u>T O</u>	<u>Distance</u>	<u>Daily Except Saturdays* and Sunday</u>	<u>Sunday</u>
San Bernardino	57.6	4	4
Pomona	32.1	14	12
La Verne	28.9	18	16
Covina	21.7	25	22
El Monte	13.2	27	22

\* On Saturdays two extra trips to Pomona and one to El Monte.

WESTBOUND TO LOS ANGELES

<u>F R O M</u>	<u>Daily Except Sunday</u>	<u>Sunday</u>
San Bernardino	4	4
Pomona	14	12
La Verne	18	16
Covina	26	22
El Monte	30	22

Rail service between Los Angeles and San Bernardino was reduced on June 9, 1940, from nine round trips daily to four, and a supplemental motor coach operation was established to provide eight round trips daily. A comparison of the number of trips presently operated with those proposed, including both rail and motor coach schedules (daily except Saturdays and Sundays), is as follows:

BETWEEN LOS ANGELES

<u>AND</u>	<u>PRESENT</u>			<u>PROPOSED</u>		
	<u>Rail</u>	<u>Motor Coach</u>	<u>Total</u>	<u>Rail</u>	<u>Motor Coach</u>	<u>Total</u>
South Alhambra	0	47	47	0	47	47
El Monte	27	75	102	26	69	95
Baldwin Park	25	0	25	21	16	37
Covina	25	0	25	4	16	20
Pomona	14	24	38	0	35	35
San Bernardino	4	24	28	0	27	27

Under the proposed plan nine motor coaches will be required in addition to those now used in the present service, and nine rail cars will be released.

The Los Angeles-San Bernardino rail line contributes substantially to the freight business of applicant and to retain the benefits thereof it is proposed to continue freight service by rail over that portion of the track between Covina and San Bernardino on a reduced standard of maintenance commensurate with the requirements of such operation.

Together with the proposed discontinuance of regular rail passenger service to Pomona, the carrier, by its amended application, filed September 17, 1941, proposes to abandon certain tracks located on private property near Garvey Avenue between Fifth and Fourth Streets, and in Garvey Avenue northerly from Fourth Street to Pomona Junction, all within the City of Pomona. That portion which is located between Fifth and Commercial Streets has already been authorized for abandonment. (3)

Applicant now operates a through motor coach service between Los Angeles and San Bernardino and intermediate points via Garvey Avenue and Foothill Boulevard (4) and another motor coach line

(3) Decision No. 33834, dated January 21, 1941.

(4) Under authority of Decision No. 33688, dated December 3, 1940.

between Los Angeles and El Monte over Brooklyn and Garvey Avenues, with an alternate via Ramona Boulevard and Garvey Avenue. <sup>(5)</sup> The through motor coach line between Los Angeles and San Bernardino is proposed to be established to serve the district that would otherwise be adversely affected by curtailment of rail service east of Baldwin Park, as an alternate route of the present Los Angeles-San Bernardino-Foothill Boulevard line and in co-ordination with the present Los Angeles-El Monte via Garvey Avenue service. It is contended that the routing of this line through San Dimas will make possible the discontinuance of the San Dimas local motor coach line which does not earn sufficient revenue to meet direct operating costs.

Applicant now operates motor coach service over two routes through the City of Pomona, being part of the through operations of the Los Angeles-El Monte-Redlands line and the Los Angeles-San Bernardino via Foothill Boulevard line. It is proposed to effect re-routing of these lines so as to better serve the principal residential and business districts of Pomona, to provide a unified service and operation through the westerly portion of the city, and to establish service along Garvey Avenue from Fifth Street to Cucamonga Avenue in substitution for rail passenger service proposed to be abandoned.

In addition to the seasonal passenger rail service proposed to be operated to the Los Angeles County Fairgrounds applicant proposes certain modifications in the existing seasonal motor coach operations to the fair, and a consolidation of such operating rights with all other certificated routes, so as to provide through service from Los Angeles and other points served by the lines of its system in accordance with traffic requirements. Applicant allegedly handled

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(5) Under authority of Decision No. 32167, dated July 18, 1939.

18,000 one-way passengers on its motor coach service to and from the Fairgrounds during the 17-day season of 1940, and contends that with the extended operating rights sought that number can be increased.

Formal protest was filed by the City of Pomona against certain provisions included in the original application, particularly relating to the disposition of applicant's tracks between Pomona Junction and Ganosha Junction, which applicant proposed to retain for car storage purposes in connection with the seasonal operation to the Los Angeles County Fair. By amendment to the original application (6) the objections of the City of Pomona were satisfied.

Protest was registered by the City of Covina against the routing of the proposed motor coach line through that city. Applicant requested authority to operate over 4th, Collogo and Citrus Streets in Covina as a deviation from the through route along San Bernardino Road. It was contended by the city that none of these streets could be satisfactorily adapted to such motor coach operation, and applicant at the hearing expressed willingness to amend its proposed routing to provide for operation over Hollenbock Street, Badillo Street and Second Street. This suggestion met with the approval of the city with exception of Second Street. It was contended that Second Street was not satisfactory by reason of the existence of several churches and other public gathering places located thereon. In the interest of expediting the matter it was stipulated that a survey would be made by the Commission's engineers to determine the proper routing to be established should motor coach substitution be granted. It was agreed that the engineers' report would be submitted to all interested parties and that if within a reasonable length of

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(6) Amended Application filed September 17, 1941.

time no requests for further hearing were received by the Commission the entire matter would be considered closed and ready for decision. The terms of the agreed procedure have been complied with and a report submitted by the Commission's engineers recommending the use of either Second Street or Barranca Street between Badillo Street and San Bernardino Road in Covina, with preference being expressed for the former. Although the report indicates that Second Street would offer greater convenience to patrons the advantages of that route are not of sufficient proportion to preclude the use of Barranca Street in accordance with the desire of the city.

On behalf of the Commission, its Transportation Research Engineer was called as a witness and testified that in general the plan proposed by applicant was in conformity with the recommendations of the Commission's staff set forth in a report prepared in connection with Application No. 21656 wherein Pacific Electric Railway Company applied for authority to increase fares. Specific reference was made to Volume X of that report which was submitted in evidence on April 5, 1939, as Exhibit No. 73, and incidentally, to Exhibits Nos. 71, 76, and 87 in the same application, all four of which were stipulated into the record in this proceeding.

A review of the record in this proceeding indicates that the changes in service and facilities as requested by Pacific Electric Railway Company in its application as amended, except for the proposed motor coach routing through the City of Covina, if established, will be in the public interest. Passenger traffic over this line has experienced a steady decline principally by reason of the inroads of the private automobile and at present the volume of patronage is insufficient to justify continued passenger rail service beyond Covina. The physical condition of track and roadway is typical of

that to be found generally on the system as a whole in that it has been allowed to undergo a process of deferred maintenance in an effort to balance revenues with costs, until now that stage has been reached where continued passenger service will necessitate the expenditure of substantial sums of money for rehabilitation.

A standard of service commensurate with the traffic volume and physical characteristics of the area involved can be provided by substitution of motor coaches in lieu of rail passenger service and at the same time obviate the necessity for devoting funds to track renewals that might otherwise be put to more beneficial use.

### O R D E R

Public hearing having been held in the matter of the application of Pacific Electric Railway Company for permission to substitute motor coach operation in lieu of rail service on its Los Angeles-San Bernardino line east of Covina, to abandon certain portions of its rail facilities, to effect certain adjustments in routing of its presently operated motor coach lines, together with other incidental changes in service, fares and facilities, 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 is hereby granted to Pacific Electric Railway Company for the operation of automotive passenger stage service as that term is defined in Section 2 $\frac{1}{2}$  of the Public Utilities Act for the transportation of passengers between Los Angeles and San Bernardino and intermediate points, in



both directions, in the counties of Los Angeles and San Bernardino, subject to the following conditions:

- (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) Said service shall commence within a period of not to exceed six (6) months from the effective date hereof.

II.

IT IS HEREBY FURTHER ORDERED that Pacific Electric Railway Company shall operate the passenger stage service authorized under Section I above in compliance with the following regulations:

- (1) 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 by exhibits attached to the applications, shall be filed in triplicate and concurrently made effective on not less than five (5) days' notice to the Commission and the public.
- (2) Subject to the authority of this Commission to change or modify such at any time by further order, said passenger stage operation shall be conducted over and along the following described routes:

(a) Los Angeles-Pomona-San Bernardino  
Via Foothill Boulevard Line.

Commencing at the Union bus depot located at 5th and Los Angeles Streets, Los Angeles, via Los Angeles Street, Aliso Street, Ramona Boulevard, Garvey Avenue, Holt Avenue (City of Pomona), thence via grade separation structure in the vicinity of Bellevue Avenue to 5th Street, thence via 5th Street, Garoy Avenue, Cucamonga Avenue, Alexander Avenue, First Street (City of Claremont), Mills Avenue, 6th Street, West Arrow Highway, East Arrow Highway (City of Upland), San Bernardino Road, Foothill Boulevard, Mt. Vernon Avenue, and 3rd Street to Pacific Electric Station between "E" Street and "F" Street in San Bernardino, and return via the reverse thereof;

Also an alternate route in the City of Upland via East Arrow Highway, Second Avenue, private

right of way in front of Pacific Electric Station, 3rd Avenue, thence connecting with the through route described above at East Arrow Highway, and return via the reverse thereof;

Also an alternate route between El Monte and Pomona from the intersection of Tyler and Garvey Avenues, via Garvey Avenue, Covina Boulevard, West Ramona Boulevard (Baldwin Park), Main Avenue, East Ramona Boulevard, San Bernardino Road, Hollenbeck Street (Covina), Badillo Street, Barranca Street, San Bernardino Road, Grand Avenue, Covina Boulevard, Cataract Avenue (San Dimas), Bonita Avenue, 4th Street (La Verne), Lincoln Avenue, Pomona Avenue, La Verne Avenue, and Cucamonga Avenue to Garey Avenue (North Pomona); also via La Verne Avenue from Cucamonga Avenue to Garey Avenue.

(b) Los Angeles-El Monte-Redlands Line.

Re-route that portion of the Los Angeles-El Monte-Redlands line now operating on Second Street between the grade separation highway and Garey Avenue in the City of Pomona, to operate between these intersections via grade separation highway, 5th Street and Garey Avenue.

(c) Los Angeles County Fairgrounds  
Seasonal Motor Coach Line.

From the intersection of Holt and White Avenues along White Avenue, Huntington Boulevard and Fair Avenue to La Verne Avenue; also from the intersection of Huntington Boulevard and Fulton Road along Fulton Road to La Verne Avenue; also from the intersection of Garey Avenue and Walnut Street along Walnut Street, Tolman Avenue and Walnut Street to Fairgrounds entrance, Gato No. 1.

III.

IT IS HEREBY FURTHER ORDERED that Pacific Electric Railway Company be and it is hereby authorized to discontinue passenger service upon not less than five (5) days' notice to this Commission and the public over and along those portions of existing routes as described below, and to amend in conformity with rules of this Commission all passenger rate tariffs, time schedules, rules and regulations applying thereto, upon the condition that in lieu thereof

motor coach operation shall be commenced over the routes authorized under Sections I and II above:

(1) San Dimas Local Motor Coach Line.

From Southern Pacific Station, San Dimas, north on Cataract Avenue, east on Bonita Avenue, north on San Dimas Avenue, west on Gladstone Avenue, south on Monte Vista Avenue, west on Fifth Street, south on Acacia Street, east on Third Street, north on Monte Vista Avenue, east on Fourth Street, south on San Dimas Avenue, west on Bonita Avenue, and south on Cataract Avenue to Southern Pacific Station, point of beginning.

(2) Los Angeles-Pomona-San Bernardino Via Foothill Boulevard Motor Coach Line.

From the intersection of Holt Avenue and the grade separation highway along Holt Avenue (City of Pomona), Main Street, private right of way through Southern Pacific Station grounds and via Commercial Street, Garey Avenue, Holt Avenue and Alexander Avenue to Cucamonga Avenue.

(3) Los Angeles-El Monte-Rodlands Motor Coach Line.

From the intersection of Second Street and the grade separation highway along Second Street (City of Pomona), Main Street, Third Street, Gordon Street and Second Street to the intersection of Second Street and Garey Avenue.

(4) Los Angeles-Pomona-San Bernardino Rail Line.

Between Covina and San Bernardino, including Pomona and other intermediate points, except for that portion of the route between Covina and the Los Angeles County Fairgrounds over which seasonal passenger rail service shall be continued.

IV.

IT IS HEREBY FURTHER ORDERED that concurrently with the establishment of motor coach service as authorized under Sections I and II, and discontinuance of passenger service as authorized under Section III hereof, certificates heretofore granted to Pacific Electric Railway Company by previous order be and they are hereby revoked in so far as they apply to those portions of routes described as follows:

(1) San Dimas Local Motor Coach Line.

From Southern Pacific Station, San Dimas, north on Cataract Avenue, east on Bonita Avenue, north on San Dimas Avenue, west on Gladstone Avenue, south on Monte Vista Avenue, west on Fifth Street, south on Acacia Street, east on Third Street, north on Monte Vista Avenue, east on Fourth Street, south on San Dimas Avenue, west on Bonita Avenue, and south on Cataract Avenue to Southern Pacific Station, point of beginning.

(2) Los Angeles-Pomona-San Bernardino Via Foothill Boulevard Motor Coach Line.

From the intersection of Holt and White Avenues, along Holt Avenue (City of Pomona), Main Street, private right of way through Southern Pacific Station grounds and via Commercial Street, Garey Avenue, Holt Avenue and Alexander Avenue to Cucamonga Avenue.

(3) Los Angeles-El Monte-Redlands Motor Coach Line.

From the intersection of Second Street and the grade separation highway along Second Street (City of Pomona), Main Street, Third Street, Gordon Street and Second Street to the intersection of Second Street and Garey Avenue.

(4) La Verne-Los Angeles County Fairgrounds Motor Coach Line.

Commencing at the intersection of "D" and Orange Streets, (La Verne), east on Orange Street, north on "E" Street, east on Palomares Avenue, south-east on La Verne Avenue, southwest on Fulton Road, north on Huntington Boulevard, northeast on Fair Avenue, thence over going route to the intersection of "D" and Orange Street (La Verne).

(5) Pomona-Los Angeles County Fairgrounds Motor Coach Line.

From Depot at Third and Main Streets (City of Pomona), east on Third Street, north on Garey Avenue and northwest on Walnut Street to Fairgrounds Entrance. Return via reverse route

V.

IT IS HEREBY FURTHER ORDERED that Pacific Electric Railway Company be and it is hereby authorized to abandon within twelve (12) months from the date hereof portions of its tracks and facilities on the Los Angeles-Pomona-San Bernardino rail line described as follows:

Commencing at Engineers Station 99+10 near northwesterly property line of Park Avenue; thence a single track electric railroad, extending southeasterly, a distance of 175 feet to switch point, end of single track; thence continuing double track southeasterly to Garey Avenue and southerly on Garey Avenue, a distance of 5,445 feet to switch point, end of double track, a distance of 6,035 feet to switch point, end of double track; thence continuing single track southerly on Garey Avenue 103.98 feet to a point in Garey Avenue, 13 feet southerly from the center line of Commercial Street, including cross-overs.

VI.

IT IS HEREBY FURTHER ORDERED that Pacific Electric Railway Company be and it is hereby authorized to amend its passenger rate tariff to provide for certain reductions in one-way and round-trip fares on the Los Angeles-San Bernardino Via Foothill Boulevard motor coach line in accordance with Exhibit IV-B attached to the application; and to establish fares for application to the Baldwin Park-Covina alternate route of the Los Angeles-San Bernardino via Foothill Boulevard motor coach line in accordance with Exhibit IV-D attached to the application.

VII.

IT IS HEREBY FURTHER ORDERED that Pacific Electric Railway Company be and it is hereby authorized to unify and consolidate its seasonal motor coach operations over the certificated routes herein granted under Section I and described under Section II with all of its other certificated routes in order to provide for the operation of direct service between any and all points on said certificated

routes and the Los Angeles County Fairgrounds as traffic may warrant, provided there shall be no change made in passenger fare tariffs applying to said seasonal service.

VIII.

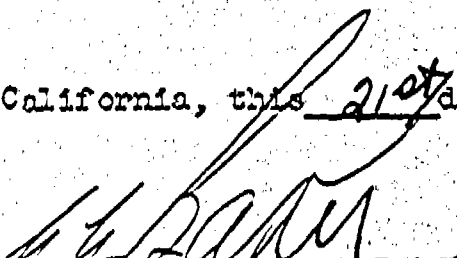
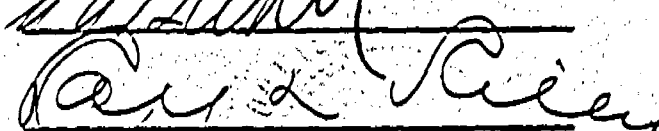
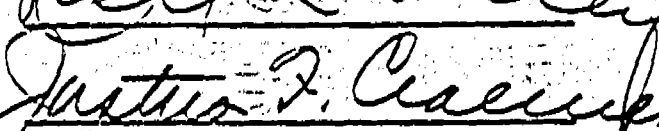
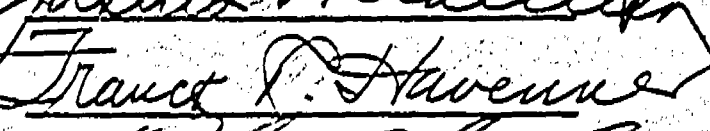

The Commission reserves the right to make such further orders in these proceedings as to it may appear just and reasonable and to revoke this authority in whole or in part if in its opinion public convenience and necessity demand such action.

IX.

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

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

Dated at San Francisco, California, this 21st day of October, 1941.

  
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(COMMISSIONERS)