

Decision No. 34757

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
PACIFIC ELECTRIC RAILWAY COMPANY, a )  
corporation, for permission to dis- )  
continue rail passenger service on )  
its Los Angeles-Alhambra-San Gabriel- )  
Temple City Line and to abandon por- )  
tion of tracks thereof; )

Application No. 23908

and

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

44th Supplemental Appli-  
cation No. 17984, as  
amended. (Establish Los-  
Angeles-Alhambra-San  
Gabriel-Temple City Motor  
Coach Line).

FRANK KARR and C. W. CORNELL, Pacific Electric Building,  
Los Angeles, for applicant, Pacific Electric Railway  
Company.

JAMES B. OGG, City Attorney of Alhambra, 317 West Main  
Street, Alhambra, for the City of Alhambra.

C. W. PAIGE, City Engineer, City of Alhambra.

H. S. FARRELL, City Attorney of San Gabriel, 213 Medical  
Building, Alhambra, for the City of San Gabriel.

THOMAS PARRINGTON and G. H. BEDELL, 522 North Golden West  
Avenue, Temple City, for the Better Transportation  
Committee of Temple City, Alhambra and San Gabriel.

RAY L. CHESEBRO, City Attorney, GILMORE TILLMAN, Assistant  
City Attorney, K. CHARLES BEAN, Chief Engineer and  
General Manager, and STANLEY M. LANEAM, Assistant  
Chief Engineer, Board of Public Utilities and Trans-  
portation, all in the City Hall, Los Angeles, for  
the City of Los Angeles.

HAROLD P. HULS, City Attorney, and H. BURTON NOBLE, Assistant  
City Attorney, 220 City Hall, Pasadena.

B. L. PARKER, 314 Currier Building, Los Angeles, for United  
Electrical Radio and Machine Workers of America.

HARRY SEE, W. P. NUTTER and FRANK G. PELLETT, 844 Pacific  
Building, San Francisco, for Brotherhood of Railroad  
Trainmen.

T. F. McCUE, in propria persona.

A. B. BYRNE, in propria persona.

H. K. HENSLEY, in propria persona.

W. R. SWARTZ, in propria persona.

EMMETT A. TOMPKINS, City Attorney, for the City of Alhambra.

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

RILEY, COMMISSIONER:

INTERIM OPINION

By its application filed January 3, 1941, and amended September 24, 1941, Pacific Electric Railway Company seeks authority to discontinue passenger service on its Los Angeles-Alhambra-Temple City rail line, (1) to abandon certain of its tracks and facilities used in connection therewith, and to substitute in lieu thereof a passenger motor coach service.

Public hearings were held at Los Angeles on February 17th, at Alhambra on February 19th, and again in Los Angeles on September 18th and 19th, 1941. At the earlier hearings in Los Angeles and Alhambra, evidence on behalf of applicant in the form of exhibits and oral testimony was submitted, as well as statements from the various municipalities involved and testimony of public witnesses appearing individually and on behalf of civic organizations. A continuance was taken from February 19th to September 18, 1941, for the purpose of allowing interested parties to analyze the evidence submitted by applicant and to prepare any additional evidence for submission upon their own behalf.

It was contended by the City of Los Angeles and endorsed by the City of Alhambra that this application relating to substitution of motor coach service for the Temple City line should be consolidated for hearing with the application of Pacific Electric Railway Company to substitute motor coach service in lieu of its rail operation be-

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(1) Hereinafter sometimes called the Temple City line.

tween Los Angeles and the City of Pasadena.

The Temple City rail line of Pacific Electric Railway Company provides passenger service between the central business district of Los Angeles and Temple City, serving the cities of Alhambra and San Gabriel en route. In addition to the passenger operation, freight service is also provided, the principal movements being to West Alhambra, with infrequent movements to Temple City. Between applicant's passenger depot at Sixth and Main Streets and a point immediately east of the Los Angeles River at Mission Road and Aliso Street, the line traverses city streets of Los Angeles, thence over private right-of-way to Raymond Avenue in Alhambra, thence over paved city streets through Alhambra and San Gabriel, thence on private right-of-way and paved streets through the area beyond to a terminus on the eastern side of Temple City. As a deviation from the main through rail line, a loop is provided to serve the old section of San Gabriel. Between the Sixth and Main Streets station in Los Angeles and Sierra Vista, a distance of about seven miles, the line operates over joint track with four other interurban lines, i.e., the Pasadena Short Line, Pasadena Oak Knoll Line, Sierra Madre Line and the Glendora Line. After leaving private right-of-way at Mission Road and Aliso Street westbound to Los Angeles, the line is routed over Aliso Street <sup>(2)</sup> to San Pedro Street, thence along San Pedro Street to an overhead incline structure between Sixth and Seventh Streets, thence through the Pacific Electric Railway Company's station at Sixth and Main Streets, thence outbound along Main Street to First Street, First Street to Los Angeles Street, Los Angeles Street to Aliso Street, Aliso Street to San Pedro Street, connecting at that point with the inbound route.

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(2) Due to construction of Aliso Street viaduct over the Los Angeles River, Pacific Electric Railway Company rail lines have been temporarily rerouted over the Macy Street bridge.

Applicant proposes to discontinue passenger rail operations on the entire line and freight service beyond West Alhambra. In lieu of the rail passenger service, applicant proposes to establish a motor coach line to be routed as follows:

"From 6th and Los Angeles Streets, Los Angeles, via Los Angeles Street, Aliso Street, Lyon Street, Macy Street, Mission Road, Huntington Drive (Sierra Vista), Main Street (Alhambra), and Las Tunas Drive through City of San Gabriel to Baldwin Avenue, Temple City, returning via the reverse thereof to 6th and Los Angeles Streets, Los Angeles, thence via 6th Street, Maple Avenue, 7th Street and Los Angeles Street to 5th Street.

"Also, alternate route in City of San Gabriel from intersection of Las Tunas and Mission Drives via Mission Drive and Santa Anita Avenue to intersection of Santa Anita Avenue and Las Tunas Drive."

The proposed plan includes abandonment of tracks and facilities along that portion of the line between Marengo Avenue in West Alhambra and the terminus at Temple City. That portion of track between Sierra Vista and Marengo Avenue is to be retained for freight service to West Alhambra.

No change in passenger rates is proposed by applicant, except to cancel the fare shown in the existing tariff between Los Angeles and the rail station at Valley Junction, which is located on private right-of-way and inaccessible to the proposed motor coach route.

Applicant, in justification of its proposal, relies upon the following contentions:

- (1) Basic frequency will be increased from thirty minutes to twenty minutes, with proportional increases during the peak periods of traffic;
- (2) Obsolete rail equipment now in need of retirement will be replaced with modern motor coaches of latest design;
- (3) Motor coach operation will make possible an extension of service easterly from the present rail terminus to Baldwin Avenue, into a developing residential area;

- (4.) During 1941, it is estimated that continued rail operation will require the expenditure of \$14,000 for re-surfacing pavement within the track area in Alhambra along Main Street from Atlantic Boulevard to the easterly limits of the City of Alhambra;
- (5) A net loss under present rail operations of \$34,232 annually will be converted into a net income of \$23,878, or a betterment of \$58,110;
- (6) The City of San Gabriel has requested applicant to remove its tracks from Las Tunas Drive in that city;
- (7) Changes in track right of way and overhead facilities have been requested by residents of the Temple City area.

In addition to the data submitted with the application, witnesses for applicant presented numerous exhibits indicating the passenger traffic and revenue characteristics of the present rail operation, including data compiled from company records and various traffic checks.

(3)  
A report was submitted by the Commission's Transportation Research Engineer, setting forth the results of an engineering analysis of the various phases of the problem and recommending that motor coach operation be substituted in lieu of rail service, substantially in accordance with the plan as proposed by applicant, the principal exception being the designation of a route to be followed over the city streets of the central business area of Los Angeles.

The proposed plan of motor coach substitution on the Temple City line as submitted by applicant and generally concurred in by the Commission's staff was opposed by the engineering staff of the Board of Public Utilities and Transportation of the City of Los Angeles. The Assistant Chief Engineer of that Board testified that after lengthy detailed analysis of the problem, in his opinion, some re-arrangement of rail operation could be developed that would provide to the public a superior service and to the company greater remuneration than could be realized through motor coach substitution. No detailed plan of operation was submitted and the witness stated that

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(3) Exhibit No. 13 - Report on Substitution of Motor Coach for Rail Service on Los Angeles-Alhambra-San Gabriel-Temple City suburban passenger line of Pacific Electric Railway Company.

he was not inclined to urge his views in opposition to those of management with whom the major responsibility rested.

Analysis of the evidence submitted by applicant in substantiation of its proposed plan of operation indicates that a more frequent headway will be provided by the motor coach service than is now offered by the rail operation, both during the peak and the base service, reducing the thirty-minute base headway to a twenty-minute interval. The following tabulation provides a comparison of daily schedules as operated at present and as proposed:

Comparison of Present and Proposed  
Daily Schedules

<u>Outbound from Los Angeles to</u>	<u>Present Rail</u>	<u>Proposed Motor Coach</u>
<u>Daily Except Sundays, Saturdays and Holidays</u>		
Alhambra (Garfield Avenue)	41	63
San Gabriel (Mission)	22	28
San Gabriel (Las Tunas Drive)	19	28
Temple City	37	56
<u>Saturdays</u>		
Alhambra (Garfield Avenue)	41	55
San Gabriel (Mission)	22	27
San Gabriel (Las Tunas Drive)	19	28
Temple City	37	55
<u>Sundays and Holidays</u>		
Alhambra (Garfield Avenue)	34	35
San Gabriel (Mission)	18	17
San Gabriel (Las Tunas Drive)	16	18
Temple City	22	35

Applicant's proposed routing of the motor coach line is identical with that of the rail operation throughout the area east of Sierra Vista, which is the first point of distribution outbound and the last point of pickup inbound, with the additional feature of providing an extension beyond the present rail terminus to Baldwin Avenue, a distance of approximately two-tenths of one mile.

The routing as proposed in the downtown area of Los Angeles is, when compared to the rail line, more conveniently located for westbound passengers, but less conveniently for eastbound passengers. By reason of the large rail loop, it is necessary at present for westbound passengers destined to the central business area of Los Angeles to travel around the eastern and southern sides of the loop to Sixth and Main Streets, thence doubling back along Main Street if ultimate destination is not conveniently located to Sixth Street. The proposed motor coach operation will be on the same street eastbound and westbound and will require that outbound passengers originating at points north of Sixth Street walk one block farther than is now required by the rail operation on Main Street. Due to the character of Los Angeles Street, which traverses a commercial district that is poorly lighted at night and somewhat remotely located from the principal shopping and theatre district, it is uninviting to patrons, especially women, except at the proposed terminus at Sixth Street.

The rail cars used in this service at present are of wooden-bodied construction, old, unattractive, under-maintained, obsolete and badly in need of replacement. Their age, condition and design are such that the cost necessary to modernize them is not justified. Applicant possesses insufficient rail equipment of more modern design to equip this line, and the characteristics of traffic, revenue and community development are not such as to justify the required expenditure for new equipment. Motor coach operation in this instance is readily adaptable to the needs of the area and capable of comfortably accommodating the available patronage.

The record shows that in the Los Angeles area and elsewhere, much heavier volumes of traffic than are afforded by the Temple City

line are satisfactorily carried by motor coaches. It was pointed out by the Commission's witness that during the maximum hour of traffic density, only 460 passengers are carried on the Alhambra rail line as compared to 1,922 passengers on the Wilshire Boulevard motor coach line of Los Angeles Motor Coach Company, and a maximum hourly volume of 2,777 passengers on the Alameda motor coach line of Key System operating between San Francisco and Alameda. On heavily traveled automobile thoroughfares such as Main Street and Las Tunas Drive through Alhambra, San Gabriel and Temple City, particularly during inclement weather, the feature of curb loading afforded by the motor coach is superior to the rail car loading arrangement from the point of view of safety, comfort and convenience to patrons.

Data submitted by the Commission's staff in Exhibit No. 13 indicate that the routing proposed by applicant will not provide the maximum convenience to the traveling public that can be realized through a motor coach substitution plan. In that exhibit it was shown conclusively that motor coach operation along streets west of Los Angeles Street would more nearly approach the center of gravity of westbound passengers destined to points in and adjacent to the central business district of Los Angeles. Based upon an origin and destination traffic check approximately 70 per cent of westbound passengers were destined to points west of Main Street, and about 37 per cent to points south of Sixth Street, which is the southerly terminus of both the present rail operation and applicant's proposed motor coach line. In order to take fullest advantage of the possibilities of motor coach operation, it was recommended by the Commission's staff that the motor coach line be routed along Macy and Main Streets to First Street, thence via a loop operation southbound on Main Street to its intersection with Spring Street immediately north



of Ninth Street, thence northbound along Spring Street to First Street, and over First Street to Main Street, thence proceeding eastbound over the westbound route. Origin and destination traffic check data were submitted in justification of this proposed routing, and the distribution of passengers by closest street intersections of destination indicated the desirability of routing along either Main Street or some street farther to the west. The loop arrangement, utilizing Main and Spring Streets, was considered to involve the least complication from the point of view of requirements for turn-around facilities, inasmuch as city streets could be used throughout the entire length of the route in the business area of Los Angeles.

Adding emphasis to a statement previously made by the president of Pacific Electric Railway Company to the effect that it was the desire of applicant to operate the proposed motor coach line in one or both directions along Main Street in preference to the route actually requested along Los Angeles Street, an amendment to the application was filed on September 24, 1941, wherein the carrier expressed willingness to accept a certificate for motor coach operation as sought in the original application along Los Angeles Street in both directions, or in accordance with the recommendations of the Commission's engineers, or via Main Street in both directions, or over Spring Street in both directions, whichever should be found advisable by the Railroad Commission and permitted by the City of Los Angeles.

The routing of motor coach operation along Main and Spring Streets through the business district of Los Angeles was opposed by representatives of the City of Los Angeles, upon the grounds that there exists a municipal ordinance prohibiting the use of either of those streets by motor coaches in mass transportation service. The city urged that such operation should not be authorized by the Com-

mission until such time as possibility of conflict with the ordinance should be removed.

The evidence would indicate that this restrictive ordinance was passed for the definite and useful purpose of protecting the central business area against the confusion, congestion and competitive aspects of the so-called "jitney operators," and that its value in that respect has been undiminished during the passage of the years since it was made effective. There does appear, however, to be an urgent need for revision or modification of the ordinance, particularly with respect to certificated passenger motor coach operation, which has during recent years become recognized as a necessary adjunct to rail operations in the transit industry.

In disposing of this controversial matter of routing, it is not necessary at this time to consider the question of jurisdiction to prescribe the routings of such common carriers over the city streets of Los Angeles. There appears in this instance to be no necessity for conflict on this issue and greater benefits to the public can undoubtedly be realized by cooperative study of the situation jointly by engineers of the carrier, the City of Los Angeles and the Commission, in an effort to develop a plan that will take into consideration not only the problem presented by the instant application, but also that of intelligently outlining the future use of the streets involved by all forms of traffic making utilization thereof.

It has been the policy of this Commission in the past to cooperate with the various municipal authorities in working out problems involving joint jurisdiction, and in this instance it is the desire of the Commission in attempting to provide the maximum standard of service to the public to continue this cooperative

relationship and to exert every reasonable effort toward the end of respecting and protecting the interests of the City of Los Angeles and its citizens.

Despite the conclusive evidence in support of a motor coach route through the business district of Los Angeles along Main Street or streets to the west thereof, and the greater convenience and accessibility of such a route to the patrons of this line, authorization of such a route by the Commission at this time would undoubtedly precipitate a condition which would hinder the realization of the immediate benefits that may be realized through the adoption of an interim alternative, pending modification of the ordinance or further order of this Commission. It is not the desire of the Commission to authorize the establishment upon a permanent status of any form of operation which will not afford the traveling public the highest standard of service commensurate with the financial ability of the carrier and the physical characteristics of the available facilities. Therefore, except with respect to the San Gabriel loop which the evidence indicates cannot be justified, the following order will provide that applicant be allowed to establish on an interim basis the motor coach operation as requested in its original application.

With respect to the principal issue of motor coach versus rail cars in this operation, the record indicates conclusively that substitution of motor coaches will be in the public interest by reason of providing much needed new equipment, improved service, an operation more readily adaptable to fulfilling the requirements of future growth of the area, and by affording a substantial improvement in the financial status of the carrier.

INTERIM ORDER

Pacific Electric Railway Company, having applied for authority to discontinue passenger service on its Los Angeles-Temple City rail line, to substitute in lieu thereof a motor coach service and to abandon certain tracks and facilities, public hearing having been held therein, the Commission being fully apprised in the premises, and it being found as a fact that public convenience and necessity so require,

IT IS HEREBY ORDERED:

I.

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 2½ of the Public Utilities Act for the transportation of passengers between Los Angeles and Temple City and intermediate points, all within the County of Los Angeles, 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 six (6) months from the effective date hereof.

II.

That Pacific Electric Railway Company shall operate the automotive passenger stage service authorized under Section I above in compliance with the following regulations:

- (1) Rates of fare, rules and regulations set forth in local passenger tariff No. 1386, C.R.C. 3516, presently on file with this Commission, as applying to the Los Angeles-Temple City rail line, shall apply to the Los Angeles-Temple City motor coach line authorized herein in so far as the operation of the latter shall provide service to points served by the former, and the maximum fares

on the motor coach line shall be no greater than the maximum fares in effect on the rail line.

- (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 temporarily over and along the following route:

From 6th and Los Angeles Streets, Los Angeles, via Los Angeles Street, Aliso Street, Lyon Street, Macy Street, Mission Road, Huntington Drive (Sierra Vista), Main Street (Alhambra), and Las Tunas Drive through City of San Gabriel to Baldwin Avenue, Temple City, returning via the reverse thereof to 6th and Los Angeles Streets, Los Angeles, thence via 6th Street, Maple Avenue, 7th Street and Los Angeles Street to 6th Street.

- (3) Upon request of applicant or the City of Los Angeles or upon the Commission's own initiative, this proceeding will, upon ten (10) days' notice, be reopened for further consideration of the routing prescribed under Item (2) of Section II above.

### III.

That Pacific Electric Railway Company be and it is hereby authorized to discontinue passenger service, upon not less than ten (10) days' notice to this Commission and the public, on its Los Angeles-Temple City rail line via Sierra Vista, Alhambra and San Gabriel, including the San Gabriel loop, and to cancel in conformity with the rules of this Commission all passenger rate tariffs and time schedules applying thereto, subject to the following conditions:

- (1) Upon discontinuance of passenger service on the Los Angeles-Temple City rail line, all rights and privileges heretofore granted by this Commission providing for the operation of rail service, both passenger and freight, beyond the westerly line of Marengo Avenue, Alhambra, shall automatically be revoked.
- (2) Passenger motor coach service as authorized herein shall be placed in effect on the morning following the last night schedule of rail operation.

IV.

That Pacific Electric Railway Company be and it hereby is authorized after discontinuance of passenger service on its Los Angeles-Alhambra-Temple City line as authorized under Section III above, to abandon that portion of its tracks described as follows:

Commencing at the westerly line of Marengo Avenue in Main Street, Alhambra, thence a double track electric line in Main Street extending in an easterly direction along Main Street to a point near Mission Drive and Las Tunas Drive in the City of San Gabriel, thence a single track line extending in an easterly direction along Las Tunas Drive and private right-of-way to end of line in Temple City, a distance of 5.133 roadway miles.

Also, the San Gabriel Mission loop commencing at Mission Drive and Las Tunas Drive, thence a single track line extending in a southerly direction along Mission Drive to Mission San Gabriel, thence continuing on private right-of-way and city streets in a north-easterly direction to a connection with the single track line in Las Tunas Drive near San Marino Avenue, a distance of 1.084 roadway miles.

Together with spurs, sidings, and crossover.

V.

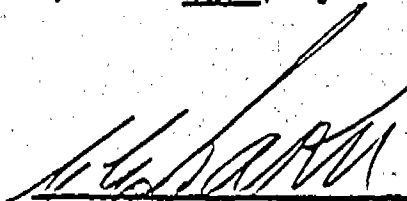
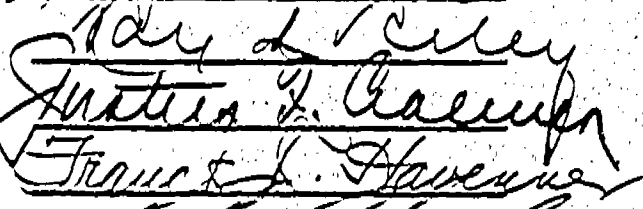
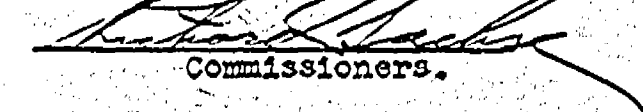
The Commission reserves the right to make such further orders in these proceedings as to it may appear just and reasonable and to revoke this authority in whole or in part if in its opinion public convenience and necessity demand such action.

VI.

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 ten (10) days from the date hereof.

Dated at San Francisco, California, this 12<sup>th</sup> day of November, 1941.

  
Walter J. Gallagher  
  
Francis J. Havenner  
  
Commissioners.