

ORIGINAL

Decision No. 34999

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

An Investigation on the Commission's own)
motion into the operations of Interurban)
Electric Railway Company, Key System,)
and East Bay Transit Company re rates,)
service, and facilities.)

Case No. 4478

For Appearances see Decision No. 33891, dated February 11, 1941.

RILEY, COMMISSIONER:

SIXTH INTERIM OPINION

By Decision No. 34389, dated July 3, 1941, Interurban
(1) Electric Railway Company was authorized by this Commission to
discontinue transbay passenger service on its Shattuck Avenue rail
line between San Francisco and Berkeley, and Key System was granted
permission to establish a substitute service. Key System extended
its transbay rail line "F," which then operated between San
Francisco and Alcatraz Avenue in South Berkeley, northerly from
Alcatraz Avenue over the same route followed by Interurban to
University Avenue in central Berkeley, approximately 1.75 miles
short of the terminus of the former Shattuck Avenue rail line. The
extension from Alcatraz Avenue to Shattuck Avenue was accomplished
by constructing a single-track road immediately adjacent to and
paralleling the rails of Interurban along the unpaved center section
of the street. Along Shattuck Avenue between Alcatraz and University
Avenues the line made use of track facilities of East Bay Transit
(2) Company laid in the paved street immediately adjacent to the

(1) Hereinafter referred to as Interurban.

(2) East Bay Transit Company, the local passenger operator serving
the East Bay cities, and Key System are owned and controlled
by Railway Equipment and Realty Company.

tracks of Interurban. Inasmuch as the rails of the local operator did not extend beyond University Avenue and it appeared at the time to be impossible to obtain the use of Interurban tracks, the substitute rail line of necessity was terminated at University Avenue and a connection made at that point with a shuttle motor coach line of Key System to provide service to those passengers destined to points formerly served by Interurban to the north. The shuttle motor coach line was routed over the same streets as the former rail line along Shattuck Avenue and Sutter Street to a terminus at the Northbrae rail station located at the intersection of Hopkins and Sutter Streets in North Berkeley at the south portal of the Northbrae rail tunnel. Beyond Northbrae the rail line followed unpaved private right of way through the tunnel to The Alameda, a distance of less than one-half mile. Due to the private right of way and the circuitous street plan in the vicinity, motor coach service could not satisfactorily be extended beyond Northbrae Station.

Subsequent to establishment of the substitute service as described above, another hearing was held in Berkeley on July 28, 1941, at which further evidence was submitted relating to the Berkeley transportation problem. A report was submitted by the Commission's engineering staff recommending a plan of transportation entailing several changes in the service as then performed by Key System. With respect to the Shattuck Avenue line it was proposed that the unsatisfactory transfer between the rail line and the shuttle motor coach line at University Avenue be eliminated by operating Key System transbay trains through on Shattuck Avenue, utilizing track facilities formerly used by Interurban from Alcatraz Avenue to Northbrae Station.

Elimination of the shuttle motor coach operation in favor of rail service was endorsed by the City of Berkeley and the several

civic organizations who had participated in the proceedings. The city forthwith instituted action to obtain title to the necessary facilities that had already been abandoned by Interurban and acquired ownership of the tracks and electrical distribution facilities between a point immediately north of Dwight Way, and Hopkins Street (Northbrae Station). The facilities were made available to Key System and on August 6, 1941, the extended rail service to Northbrae Station was commenced under authorization of Decision No. 34460, issued by the Commission on August 1, 1941.

Subsequent to reestablishment of rail service to Northbrae Station numerous requests have been received for a further extension of the line through the Northbrae tunnel and over private right of way to the intersection of Solano Avenue and The Alameda in the Thousand Oaks business area of North Berkeley, a distance of approximately 0.3 mile. At the request of the city a further hearing was held in Berkeley on December 30, 1941, for the presentation of additional evidence relating to the proposed extension. By resolution of the Council the City of Berkeley favored the extension and further support was offered through civic organizations, individuals and petitions.

Key System, the principal opponent to the extension, submitted numerous exhibits to indicate the characteristics of traffic volume on the Shattuck Avenue line and estimates of operating cost and capital expenditures that would be required by the extension. It was the opinion of Key System witnesses that the area between Northbrae Station and The Alameda is now adequately provided with transbay passenger service; that the extension would require supplementing the rail equipment now assigned to the Shattuck Avenue line with two additional articulated units; that the increased annual out-of-pocket operating expense would be \$20,510; and that a

further cost of \$4,025 would be required for alteration of present facilities to accommodate the extension in addition to the cost of acquiring from Southern Pacific Company the existing facilities and right of way. It was stated by counsel for Southern Pacific Company that his client is willing to consider a reasonable offer for sale of the properties, but is not disposed to relinquish ownership without compensation.

It appears that the issues involved may be narrowed down to the question of the extent to which personal preference for rail cars over motor coaches should influence a determination of public convenience and necessity when by accepted standards of measurement a passenger transportation system meets the reasonable requirements of frequency, coverage, comfort and convenience.

Although the motor coach may not possess the same degree of spaciousness as the rail car, by reason of economic pressure brought to bear by the diversion of patronage from the mass transportation agencies to the private automobile, it has become recognized as an important element in the transit industry and is rapidly supplanting rail cars in many cities, both in local and interurban service.

In terms of frequency of schedules the area of North Berkeley is now better served by Key System than it was by Interurban and, with exception of a distance of about one-half mile on the former Shattuck Avenue line, service is conducted over the same routes previously followed by Interurban. The only station previously served in the North Berkeley area that is not now directly on a line of Key System is Contra Costa Station, a flag stop, located approximately midway between the present terminus of the Shattuck Avenue rail line and the Solano Avenue transbay motor coach line of Key System.

The record indicates that of 4,498 passengers carried by the Shattuck Avenue rail line of Interurban on a typical weekday eastbound, 442 were destined to Northbrae Station and only 101 to Contra Costa Station. The former Contra Costa Station is located within 500 feet of the Solano Avenue Motor Coach Line "G" of Key System which provides a basic transbay frequency of 20 minutes and a peak headway of 2 minutes as compared with 30 and 7 minutes, respectively, on the former rail line of Interurban.

The importance of eliminating the accident hazard and traffic congestion created by the present method of operating trains along Sutter Street in the vicinity of Northbrae Station must be urged upon the carrier. Both east and westbound trains operate over the eastbound tracks along Sutter Street. Westbound trains travel on the left side of the street contrary to the normal flow of vehicular traffic, thereby creating a serious accident hazard, and trains standing at the end of the line on the eastbound track leave an insufficient portion of the street to allow for free movement of automobile traffic northbound on Sutter Street. To eliminate these unsatisfactory conditions Key System should construct a single track in the street center of sufficient length to accommodate the longest train used in regular service, and install the necessary special work to allow for operation of westbound trains on the westbound track. Attention is called to the fact that the Commission is now confronted with new transportation problems arising from the advent of the war. The acquisition of added equipment and facilities is uncertain at this time. It is essential in this proceeding that the transportation requirements of the East Bay area be carefully studied before material changes are made in this service. The local transportation requirements are equally important with transbay

service. It has been announced in prior orders in this proceeding that with the coordination of the interurban and local lines serving the East Bay cities it is the Commission's policy to see that all portions of the East Bay area are provided with the best service that can reasonably be justified. Until such time as an affirmative showing has been made, no material changes in this operation should be authorized which will absorb any part of the available standby facilities.

A review of the record herein discloses no new evidence that will justify modification or revision of this Commission's Decision No. 34460 with respect to the termination of the Shattuck Avenue rail line.

The following form of order is recommended.

SIXTH INTERIM ORDER

Public hearing having been held, the Commission being fully apprised in the premises, and it being found as a fact that public interest so requires,

IT IS HEREBY ORDERED that the requests of the City of Berkeley, various individuals and civic organizations that Key System be ordered to extend its Shattuck Avenue rail line "F" from its present terminus at Northbrae Station northerly to The Alameda be and it is hereby denied.

IT IS HEREBY FURTHER ORDERED that Key System, within a period of six (6) months from the date hereof, alter the track layout at the eastern end of the Shattuck Avenue rail line to provide single track facilities in the center of Sutter Street of sufficient length to accommodate the longest train in regular service

required to stand at that point, and that except for said single track, trains shall be operated westbound on westbound track, and eastbound on eastbound track.

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

The effective date of this order shall be ten (10) days from the date hereof.

Dated at San Francisco, California, this 3rd day of February, 1942.

Justus F. Coleman
Ray L. Ripley
H. H. Hill
Frank G. Hayward
Richard L. ...
Commissioners.