

ORIGINAL

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Decision No. 35301

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
EAST BAY TRANSIT COMPANY, a corpo- )  
ration (Now Merged into KEY SYSTEM, )  
a corporation), for a Certificate )  
of Public Convenience and Necessity )  
to Operate Certain Motor Coach Ser- )  
vice and to Reroute Service in the )  
County of Alameda, State of )  
California, )

Application No. 19502  
(46th Supplemental)  
(As Amended)

BY THE COMMISSION:

OPINION AND ORDER

On February 27, 1942, East Bay Transit Company filed application requesting authority to adjust certain features of its urban passenger motor coach service between the shipbuilding plants in Richmond and other East Bay cities, and to effect a minor rerouting on the outer end of the No. 78 Oak Knoll motor coach line in the City of Oakland.

Due to the urgency of that portion of the application relating to the war industries in Richmond it has been disposed of by prior order, and there now remains the matter of acting upon the proposed rerouting of the No. 78 Oak Knoll line.

On March 23, 1942, Key System <sup>(1)</sup> filed an amendment to said application requesting, in addition to the rerouting proposed in the original application, an extension of the Oak Knoll line for a distance of approximately 0.2 mile to the Naval Hospital now under construction. The No. 78 Oak Knoll Boulevard line presently operates from East 14th Street in Oakland along 90th Avenue, Thermal

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(1) By Decision No. 35073, dated February 24, 1942, in Application No. 24746, East Bay Transit Company and Key System were authorized to execute an agreement of merger, wherein Key System would be the surviving corporation.

points in the City of Oakland, said operation to be consolidated with the remainder of its operating rights, subject to the following conditions:

- (1) Written acceptance by letter of the certificate herein granted shall be filed within a period not to exceed thirty (30) days from the date hereof.
- (2) Said service shall commence within a period of not to exceed ninety (90) days from the effective date hereof and upon not less than one (1) day's notice to the Commission and the public.

IT IS HEREBY FURTHER ORDERED that in the operation of the passenger transportation service authorized above Key System shall comply with and observe the following regulations:

- (1) 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 of its No. 78 Oak Knoll line over and along the following described route:

Commencing at 90th Avenue and East 14th Street, via 90th Avenue to Thermal Street, along Thermal Street to Cherokee Avenue, along Cherokee Avenue to 98th Avenue, along 98th Avenue to Mountain Boulevard, thence along Mountain Boulevard to a terminus at the entrance to the Naval Hospital grounds, approximately 0.2 mile west of Oak Knoll Blvd., returning via the same route.

- (2) Rates of fare, rules and regulations now applying to existing service on the No. 78 Oak Knoll line shall be applicable to the line herein authorized.

IT IS HEREBY FURTHER ORDERED that the request of Key System to reroute that portion of its No. 78 Oak Knoll motor coach line between Granada Avenue and Alcala Avenue be and it is hereby denied without prejudice.

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

Dated at San Francisco, this 28<sup>th</sup> day  
of April, 1942.

Ray & Riley

Francis D. Havenner  
Richard Jackson  
Commissioners

Street, Cherokee Avenue, 98th Avenue, and Mountain Boulevard to a terminus at Oak Knoll Boulevard.

It is proposed to reroute that portion of the line from Alcala Avenue to Oak Knoll Avenue, a distance of about 2,200 feet, so as to operate outbound over the existing route and inbound over Oak Knoll Boulevard, Granada Avenue, Margarita Avenue, Murillo Avenue, Oak Knoll Boulevard, and Alcala Avenue to Mountain Boulevard, thence continuing over the present route. The proposed inbound route would be about 1,800 feet longer than the present route and would involve six turning movements, whereas none are now required.

It is applicant's contention that the proposed rerouting of the No. 78 line has been urgently requested by the City of Oakland and that the new route will provide service to a new territory that has been heavily built up with homes and is now without service, and that subsequent to filing the original application applicant has been apprised that the United States Navy is undertaking the construction of a Naval Hospital at a point a short distance beyond the northern terminus of said Oak Knoll line, and that service to the entrance of said hospital is desired both at present for construction crews and in the future for the hospital staff and visitors. In support of the proposed rerouting applicant has submitted a copy of a letter from the City Manager of Oakland urgently requesting that the change be made at the earliest possible moment and stating that the route as proposed would accommodate a great many more residents than are now receiving service and would in no way lessen the service now furnished the Oak Knoll route.

In weighing the information submitted there appears to be little support for the rerouting as proposed. Outbound patronage would not be adversely affected but, inbound, those persons who have

enjoyed service along Mountain Boulevard would be required to walk a considerably greater distance on the average in order to reach the circuitous route proposed. That portion of the proposed route most remotely located from the present route along Mountain Boulevard is only slightly in excess of 1,000 feet.

A review of the application indicates that the rerouting will inconvenience existing patronage in the interest of providing more accessible transportation to an area already within reasonable walking distance of the present line; that the proposed route by reason of its circuitry is less desirable from an operating standpoint than the present direct route; that the rerouting will result in greater rubber consumption by reason of the increased route mileage with no certainty of additional revenue; that such increased rubber consumption is inconsistent with the endeavor of the Federal Government and this Commission to conserve rubber; that applicant has failed to even make reference to the economics of either the present line or the proposed line; that public convenience and necessity on the basis of the showing made do not require the rerouting; that the nature of the matter is such that the time and expense of a public hearing are not justified; and that this portion of the application should be denied.

Extension of the route from its present terminus for a distance of about 0.2 mile to the Naval Hospital now under construction appears to be justified and should be granted without public hearing, therefore,

IT IS HEREBY ORDERED that a certificate be and it is hereby granted to Key System for the operation of an 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