

ORIGINAL

Decision No. 35945

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
KEY SYSTEM, a corporation, for a )	
certificate of public convenience )	
and necessity to operate certain )	Application No. 19502
motor coach routes in the Counties )	53rd Supplemental
of Alameda and Contra Costa, State )	
of California. )	

DONAHUE, RICHARDS and HAMLIN, by Marshall Ricksen and Frank S. Richards, for applicant.

DAVID GILMORE, City Attorney, San Leandro, for Leland Heights District Improvement Club, and the San Leandro-East Oakland Commuters League.

CHARLES R. SCHWANENBERG, for City of Alameda.

GERALD W. STUTSMAN, and CHESTER C. FISK, City Manager for City of Berkeley.

F. B. FERNEOFF, City Attorney, and J. KERWIN ROONEY, Deputy City Attorney, City of Oakland.

JOHN ROOKS, Secretary, Alameda Chamber of Commerce.

G. F. IRVINE, for Brotherhood of Locomotive Firemen and Enginemen, employees of The Western Pacific Railroad Company and Southern Pacific Company.

CHARLES NEWMAN, representing employees at Chevrolet plant, Oakland.

DONALD B. CONNELL, representing Leland Heights District Improvement Association.

JOHN DEADRICH, representing the Transportation Committee of the Chamber of Commerce of San Leandro, and also the City of San Leandro.

BRUCE HARRISON, President of the San Leandro-East Oakland Transportation League.

BY THE COMMISSION:

O P I N I O N

In this 53rd Supplemental Application Key System requests authority to revise the method of providing local transportation between the downtown section of Oakland and Hayward and intermediate points involving the carrier's rail line No. 1 and motor coach lines Nos. 80, 81, 82, and 83. The revised plan provides for the substitution of rail for motor coach service during off-peak periods between

105th Avenue and downtown Oakland. Minor route changes are also proposed.

Public hearings were held regarding this application before Examiner Hunter in San Francisco on September 18, 29, and 30, 1942. The matter has now been submitted and is ready for decision.

At present the No. 1 Oakland-105th Avenue rail line operates over a route from the business center of Oakland to 105th Avenue via East 14th Street between the hours of approximately 5:00 a.m. and 7:00 p.m. on week days. Between the hours of 9:00 a.m. and 3:30 p.m. and after 7:00 p.m. daily and on Sundays and holidays local service to the district is performed by motor coach lines following generally the same route.

The applicant proposes to operate its No. 1 rail line over the present route but proposes to change the hours of operation to include the entire week day from 5:00 a.m. to midnight, including Sundays and holidays. In addition to rendering local street car service, it is proposed to have the No. 1 line operate in conjunction with motor coaches performing a shuttle service beyond 105th Avenue during off-peak hours on routes Nos. 80, 81, 82, and 83.

The present general routes of the motor coach lines operating beyond 105th Avenue are:

No. 80 line, operating from central Oakland to Hayward via East 12th Street, East 14th Street, and Castro Valley;

No. 81 line, operating from central Oakland to Hayward via East 12th Street, East 14th Street, and the town of San Leandro;

No. 82 line, operating from central Oakland to Hayward via East 12th Street, East 14th Street and Castro Street;

No. 83 line, operating from central Oakland to San Leandro via East 14th Street.

All of these lines are now scheduled as express service with no local stops between central Oakland and 105th Avenue between the hours of

5:00 a.m. and 7:00 p.m. on week days and perform local service throughout their entire routes after 7:00 p.m. on week days, Sundays and holidays.

Applicant proposes to continue the operation of the above mentioned motor coach lines over the present certificated routes with the present schedules during the morning and evening peak hours from 5:00 a.m. to 9:00 a.m. and from 3:30 p.m. to 7:00 p.m. on week days. During all the other hours of the day, and on Sundays and holidays, these motor coach lines will operate between 105th Avenue and their easterly termini.

The record shows that the proposed changes are in conformity with the statement of policy of the Office of Defense Transportation issued April 17, 1942, particularly those portions which require: (1)

- (a) All carriers to make full use of all street car lines.
- (b) Diversion of traffic to street railway routes.
- (c) Turn back service.

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(1) Full Use of All Street Railway Lines

Transit companies and regulatory authorities should take immediate steps to obtain the fullest possible use of all operable rail lines and equipment. This will require discontinuance of bus and trolley coach services which are being provided over routes where street railway lines are or can be made operable as well as on street railway routes now being served part of the time by buses and trolley coaches.

Diversion of Traffic to Street Railway Routes

Wherever it is practicable to alter schedules and routes so as to divert passengers from present bus lines to street railway routes, such alteration of schedules and routes should be made.

Turn Back Service

On transit routes to outlying districts much capacity is wasted by sending too many vehicles to the outer ends of such routes. This waste should be eliminated by turning back some vehicles at intermediate points, or by operating shuttle vehicles over the outer portions of such routes at less frequent intervals. In other cases, waste should be eliminated by operating shuttle services over branch lines which are presently through routed.

Applicant states that the savings in coach mileage under the proposed conditions would approximate 552,000 miles per year.

At present there are no terminal facilities at East 11th Street and 105th Avenue, which is the point of transfer of passengers between rail and motor coach lines, during off-peak periods. During the course of the hearings a witness for applicant stated that terminal facilities would be provided if necessary. The necessity of such a terminal is apparent from the record which shows that approximately 5,000 passengers would have transferred under the proposed conditions at this point during off-peak periods of September 3,

1942. (2) Assurances were given by applicant that adequate service would be maintained under the proposed operating conditions.

The City of San Leandro, through a letter to the Commission, has decided not to oppose the proposed revision of service at this time.

It is apparent from the record that with the inauguration of the proposed revised operations the service on the No. 1 rail line must of necessity be supplemented by approximately 25 per cent. It appears from this record that the proposed service will be somewhat inferior to the present service but the public will not be unduly inconvenienced in view of prevailing circumstances. Since the suspension of present service a substitution of the proposed service will be in the interest of the war effort and in conformance with the directive of the Office of Defense Transportation, it appears that the proposed service should be put into effect until such time as it appears to the Commission that the matter should be reconsidered. The following order will so provide.

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(2) Exhibit No. 10-A.

O R D E R

Public hearings having been held in the above entitled matter, the matter having been submitted, and the Commission being fully apprised

IT IS ORDERED that the certificate of convenience and necessity granted East Bay Street Railways, Ltd., now Key System, in Decision No. 27696, with amendments thereto, be hereby amended to read as follows for the Nos. 82 and 83 motor coach lines:

Commencing at Pinedale Court and Castro Street, in Hayward, along Castro Street to East 14th Street, East 14th Street to 14th Avenue, 14th Avenue to East 12th Street, East 12th Street to 12th Street, 12th Street to Fallon Street, Fallon Street to 10th Street, 10th Street to Clay Street, Clay Street to 13th Street, 13th Street to Oak Street, Oak Street to 12th Street, 12th Street to 1st Avenue, 1st Avenue to East 14th Street, East 14th Street to Castro Street, and Castro Street to Castro Street and Pinedale Court.

IT IS FURTHER ORDERED that subject to the authority of this Commission to change or modify such at any time by further order Key System is hereby authorized to suspend service between the hours of 9:00 a.m. and 3:30 p.m. and after 7:00 p.m. on week days, and on Sundays and holidays on portions of the certificated coach routes as follows:

- (1) Route No. 80, Oakland-Castro Valley
- (2) Route No. 81, Oakland-San Lorenzo
- (3) Route No. 82, Oakland-Hayward
- (4) Route No. 83, Oakland-San Leandro

From 105th Avenue and East 14th Street, along East 14th Street to 14th Avenue, 14th Avenue to East 12th Street, East 12th Street to 12th Street, 12th Street to Fallon Street, Fallon Street to 10th Street, 10th Street to Clay Street, Clay Street to 13th Street, 13th Street to Oak Street, Oak Street to 12th Street, 12th Street to 1st Avenue, 1st Avenue to East 14th Street, and East 14th Street to East 14th Street and 105th Avenue.

IT IS FURTHER ORDERED that except as modified herein Decisions Nos. 27696 and 28522, and their amendments, shall remain in full force and effect.

IT IS FURTHER ORDERED that street car line No. 1, Oakland-105th Avenue, be routed as follows:

Commencing at 105th Avenue and East 14th Street, along East 14th Street to 1st Avenue, 1st Avenue to 12th Street, 12th Street to Oak Street, Oak Street to 13th Street, 13th Street to Jefferson Street, Jefferson Street to 12th Street, 12th Street to 1st Avenue, 1st Avenue to East 14th Street, and returning via East 14th Street to East 14th Street and 105th Avenue.

and shall be operated between the hours of 5:00 a.m. and midnight daily with equipment adequate to meet the approval of the Railroad Commission.

IT IS FURTHER ORDERED that the foregoing amendments shall be subject to the following conditions:

- (1) Applicant shall inaugurate the revised operations herein authorized concurrently with the abandonment of existing schedules and operations.
- (2) Applicant shall file in duplicate and make effective within a period not to exceed thirty (30) days from the date hereof, time schedules covering the services herein authorized, in a form satisfactory to the Railroad Commission.
- (3) Service hereinbefore authorized shall be established within a period not to exceed thirty (30) days from the effective date hereof and upon not less than five (5) days' notice by letter to the Railroad Commission and appropriate notice to the public in the form of cards placed conspicuously in all motor coaches involved.
- (4) Applicant shall file a written acceptance of the certificate hereinbefore granted within a period not to exceed thirty (30) days from the effective date hereof.

IT IS FURTHER ORDERED that jurisdiction herein shall be and it is hereby reserved by the Commission to make such further order or orders in this proceeding as the Commission in its discretion may deem just and proper.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 5<sup>th</sup> day of  
November, 1942.

Justus F. Grauman

W. H. Baker

Francis R. Havenner

Edward M. Lusk

Commissioners