

Decision No. 36147

ORIGINAL

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 )  
motor coach routes in the Counties )  
of Alameda and Contra Costa, State )  
of California. )

Application No. 19502  
52nd Supplemental

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

FRED C. HUTCHINSON, City Attorney, GERALD W. STUTSMAN,  
Assistant City Attorney, and JOHN PHILLIPS,  
Assistant City Manager, for City of Berkeley.

JOSEPE J. YOVINO-YOUNG, City Attorney, and L. F.  
WILLIAMS, Mayor, for City of Albany.

GEORGE J. LACOSTE, City Attorney, for City of  
Emeryville.

BY THE COMMISSION:

O P I N I O N

In the above entitled supplemental application, as amended, Key System seeks authority to revise during off-peak hours the northerly portion of its motor coach line No. 73, which at present serves during off-peak hours from the Thousand Oaks District of the City of Berkeley to the intersection of Ashby and San Pablo Avenues. No change is proposed in the present peak hour operation.

Public hearings were held in this matter before Examiner Hunter in Berkeley and San Francisco on September 17, 18, 29, and 30, 1942. The matter has now been submitted and is ready for decision.

Subsequent to the filing of this application the Commission granted Key System the right to establish the southern terminus of its No. 73 line at the intersection of Ashby and San Pablo Avenues during off-peak hours and all day Sundays and holidays. <sup>(1)</sup> The present route of the No. 73 line is therefore as follows:

---

(1) Decision No. 36025, Application No. 19502, 54th Supplemental.

On-Peak Hours

From central Oakland via San Pablo Avenue to Solano Avenue, thence on Solano Avenue to The Alameda, and on The Alameda to Marin Avenue.

During Off-Peak Hours and All Day Sundays and Holidays

From the intersection of Ashby and San Pablo Avenues, thence on San Pablo Avenue to Solano Avenue, thence on Solano Avenue to The Alameda, and on The Alameda to Marin Avenue.

It is proposed that during the off-peak hours from 9:00 a.m. to 3:30 p.m., and after 7:00 p.m. on week days and all day on Sundays and holidays the No. 73 line be operated from its present terminus at the intersection of Ashby and San Pablo Avenues in the City of Berkeley, northerly on San Pablo Avenue to the intersection of Fairmount Avenue and San Pablo Avenue in the City of Albany. During off-peak hours it is proposed to perform local service on Solano Avenue by the "G" transbay motor coach line. (2)

The record shows that the proposed revision of service during off-peak hours would not unduly inconvenience the relatively small number of persons affected, and would provide additional needed service along San Pablo Avenue.

One public witness protested the granting of this application on a basis which would necessitate the transfer of local passengers to coaches of the No. 72 line which it was claimed were already overloaded at the intersection of Solano and San Pablo Avenues. (3)

---

(2) Application No. 23313, 10th Supplemental.

(3) Disposition of this matter will be undertaken in the order relating to Application No. 23313, 10th Supplemental.

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

I. That Key System be and it is hereby authorized to temporarily suspend service between the hours of 9:00 a.m. and 3:30 p.m., after 7:00 p.m. on week days, and all day on Sundays and holidays on that portion of its No. 73 route, San Pablo-Solano Avenue motor coach line as follows:

Commencing at the intersection of San Pablo and Solano Avenues, thence easterly on Solano Avenue to The Alameda, thence southerly on The Alameda to the present terminus at The Alameda and Marin Avenue.

II. That between the hours of 9:00 a.m. and 3:30 p.m. and after 7:00 p.m. on week days and all day on Sundays and holidays Key System be and it is hereby authorized to operate its No. 73 San Pablo-Solano Avenue motor coach line over the following presently certificated route as follows:

Commencing at the intersection of Ashby Avenue and San Pablo Avenue, and thence northerly on San Pablo Avenue to the intersection of Fairmount Avenue and San Pablo Avenue.

III. That service herein authorized shall commence concurrently with or subsequent to the rendering of local service on San Pablo Avenue on Key System's "G" transbay motor coach line.

IT IS FURTHER ORDERED that the preceding authorizations shall be subject to the following conditions:

- (1) Applicant shall file in duplicate and make effective within thirty (30) days from the date hereof time schedules covering the services herein authorized, in a form satisfactory to the Railroad Commission.

- (2) Service hereinbefore authorized shall be established within a period not to exceed thirty (30) days from the 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.

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 2nd day of February, 1943.

Francis R. Havenue  
A. H. Patton  
Justus J. Calver  
Richard P. Hodge  
W. W. H. H. H.  
Commissioners