Decision No. 39917

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the LOS ANGELES TRANSIT LINES for authority to make certain changes in its system, including the substitution of trackless trolley and motor coach service for certain rail service, the rerouting and abandonment of certain lines and facilities, and the discontinuance of rail passenger service on portions of its system;

Application No. 27975

and

In the Matter of the Application of the LOS ANGELES TRANSIT LINES for an in lieu certificate for its motor coach lines.

73rd Supplemental Application No. 19179

GIBSON, DUNN & CRUTCHER, by MAX EDDY UTT,
for Applicant.

ROGER ARNEBERGH, Assistant City Attorney, for
City of Los Angeles.

T. M. CHUBB, for Board of Public Utilities and
Transportation of the City of Los Angeles.

CLYDE C. WOODWORTH, City Attorney, for City of
Inglewood and City of South Gate.

LILLIAN McQUITTY, for Santa Monica Business
Men's Association, Interested Party.

CHARLES H. THORP, for Belmont High School.

W. C. FORD, Interested Party.

CHARLES A. STRAIN, Interested Party.

FRED L. MOWDER, for the Central Business District
Association and Los Angeles Traffic Ass'n.,
Interested Parties.

J. REGAN, Jr., for Residents in Vicinity of
Wilson Avenue and Hoover Street.

HARRY MORRISON, for Metropolitan Traffic and
Transportation Committee of the Los Angeles
Chamber of Commerce.

MRS. BEN TARWATER, for People of Belmont Terrace.

OPINION

In the above-entitled applications as amended, heard on a common record at Los Angeles December 19, 1946, Los Angeles Transit Lines seeks authority to effect certain changes in its method of providing local transportation in the Los Angeles Metropolitan Area and asks the Commission to approve an agreement entered into

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between it and the City of Los Angeles dealing with the method of disposing of the rails and track structure located in public streets.

These proposed service changes involve the rerouting and/or abandonment of certain streetcar lines, the provision of substitute service by electric trolley coaches or self-propelled vehicles, and the rerouting, abandonment and extension of motor coach lines. The proposed changes in applicant's transportation system revolve about a traffic and transportation plan recommended in a report by a committee of traffic consultants employed by the City of Los Angeles, which is dated December, 1945. To facilitate the movement of traffic through the business section of the city, this committee recommended that Fifth and Sixth Streets be designated as one-way streets with traffic moving eastbound on Sixth Street and westbound on Firth Street. The City of Los Angeles has adopted an ordinance which provides for one way traffic on these two east and west streets between Boylston Street on the west and Central Avenue on the east. Coincident with the initiation of one-way traffic on these two highways, it becomes necessary to substitute rubber-borne vehicles for streetcars. Three of applicant's major streetcar lines are involved, namely, "3", "D", and "U", which are now operated along Fifth Street. Pacific Electric Railway Company operates a rail line along Sixth Street within the area involved in the one-way traffic plan.

A witness for applicant testified that in keeping with the commitments made to the City at the time a new franchise was negotiated in 1946, the company had placed orders for more than ten and one-half million dollars, worth of new equipment which includes PCC-type streetcars, electric trolley coaches and motor coaches. He also testified that the necessary equipment to effect the changes

⁽¹⁾ This type of vehicle is referred to in the franchise granted by the City of Los Angeles as a "trolley bus". In the company's application it is sometimes referred to as a "trackless trolley".

proposed herein would involve approximately two million dollars of the total investment in new equipment.

In support of the granting of the application a witness for applicant testified, with supporting data, that the transportation plan as proposed would, if carried out, result in a material improvement in the service to the general public traveling on the lines involved in the way of reducing travel time by as much as 25%; afford the public better service through the operation of modern equipment; reduce hazard through curb loading and the climination of approximately 9,000 turns daily across lanes of vehicular and pedestrian traffic, with the attending reduction in traffic congestion; increase the frequency of service along certain lines through the consolidation of traffic on closely paralleled lines; improve cross-town connections to outlying districts and provide service to, certain developed areas which are not now provided with convenient transportation. The record also shows that applicant's comprehensive plan fits in with the City's major street, and highway program to effect freeways and other public highway arteries to carry traffic through and around the business center of los Angeles.

as proposed herein was registered by statements from parties who were opposed to the discontinuance of applicant's motor coach line No. "2", serving the Belmont Heights District and others opposing the discontinuance of operation of applicant's "F" streetcar line, operating along Hoover Street between 48th Street and Florence Avenue, a distance of about two miles. These two services will be discussed in turn.

The No. "2" bus line operates between downtown Los Angeles and a residential area known as Belmont Heights, situated to the north of Temple Street and east of Alvarado Street. The route of

the downtown end of this line is east on Fifth Street between Flower and Hill Streets and west on Sixth Street between Hill and Flower. Service on the north end of the line was extended beyond Temple Street during the early part of 1946. This extension was made following a request from residents of the Belmont Heights District and was agreed to by the company due to the fact that there was at that time sufficient layover time at the north end of the route to permit it to be made without employing additional equipment on the line. Interested parties along the north end of the route between Third Street and Clinton Street stated that they oppose the discontinuance of the service on the ground that there is a public need for this operation to accommodate traffic to and from the residential area, as well as to and from schools and churches in that vicinity. It was further contended, by protestants to the abandonment of motor coach Line No. "2", that this service afforded material safety to patrons on the line in the Belmont Heights District in that it provides transportation near their homes and, if eliminated, would require walking through a district wherein there is inadequate police protection.

It is the company's position, on the other hand, that the district is adequately served with other lines operating through this area, running both east and west and north and south. The record shows that if motor coach line No. "2" is abendoned as proposed there will be no portion of the Belmont Heights area, now served by this line, situated more than one-fourth mile from an existing line of transportation. Other available transportation service consists of applicant's motor coach line No. "11" running east and west on Temple Street and motor coach line No. "44" running east and west on Beverly Boulevard. Applicant proposes to establish a new motor coach line on Third Street between Flower Street on the

east and Virgil Avenue on the west which will also provide a substitute service for a portion of the area now served by the No. "2" motor coach line. North and south transportation service is provided in this area through the operation of applicant's motor coach line No. "41", along Alvarado Street and Pacific Electric Company's Clendale Line, running generally north and south along Glendale Boulevard. It should be pointed out, however, that the Belmont Heights residential area to the north of Temple Street is in a rather hilly section, materially higher in elevation than the lines of transportation referred to along Alvarado Street and Glendale Boulevard.

Exhibit No. 7 is a tabulation of traffic checks taken September 30, 1946, showing the complete daily operation over motor coach line No. "2" from 5:00 a.m. to 1:00 a.m. This tabulation shows that on the southbound operation 122 passengers boarded the bus and 233 alighted on the northbound movement, north of Temple Street. This check covers approximately 90 schedules which averaged slightly more than 22 passengers a trip outbound and less than 12 passengers inbound. With respect to this portion of the record, it appears that the company's plan to abandon the operation of motor coach line No. "2" is in keeping with the general policy which has been followed by this Commission with respect to the spacing of motor coach lines in a residential area on one-half mile intervals. With regard to the headway of operation, however, that is a matter which should be determined to a large extent on the volume of traffic offered. Referring to the compleint that the company does not provide reasonably adequate service to this district through the operation of other lines traversing the area, this is a matter which, if the complaints are justified, should be corrected as soon as possible and not later than the time new racilities are available. The Commission expects the company to provide sufficient equipment on these lines so as to afford the patrons reasonable and adequate transportation throughout the entire day. With respect to the elleged need for more adequate police protection to safeguard the residents and others having occasion to visit that area, this appears to be a police problem, rather than one of this carrier.

We turn now to the portion of the record dealing with applicant's plan to discontinue its "F" rail line along Hoover Street between 48th Street and Florence Avenue. The primary objection to this proposed abandonment of rail service by residents and business interests centers around the contention that this service has been a material factor in the development of the area and, if it is discontinued, it will have an adverse effect on the value of real estate and rentals along Hoover Street. It is also alleged that with a substitute service as proposed by applicant the district will not be provided with reasonable and adequate public transportation.

The record shows, by applicant's Exhibit No. 12-A, the result of a traffic check taken along Hoover Street between 48th Street and Florence Avenue covering a full day's operation. This exhibit shows that on the northbound movement 1,283 passengers boarded and 649 alighted from the cars. On the southbound movement 718 persons boarded and 1,415 clighted. The exhibit also shows that the two heaviest loading and unloading points are at the intersections of Slauson Avenue and 54th Street respectively. It appears that a major portion of the traffic on and off the cars at Slauson originates at or is destined to the business district in the vicinity of Slauson and Vermont. With respect to the large volume of interchange traffic at 54th Street intersection, it is apparent that this

is due largely to the fact that the company's No. "8" car line crosses the "F" car line at that intersection with the attending interchange of traffic between these two streetcar lines. Service on the "F" line varies from approximately twelve minutes base headway to five and one-half minutes during the morning and evening peak travel periods.

The testimony indicates that if the company's proposal to abandon its rail operation along Hoover Street between 48th and Florence Avenue is put into effect no portion of the district now served by this section of the "F" line will be greater than onefourth of a mile from other transportation lines operated by applicant. The Hoover Street section between Florence and 48th Street is now provided with north and south service by the company's No. "49" motor coach line operated along Figueros Street and the "U" car line along Vermont Avenue. Hoover Street is midway between these two lines which are separated by a distance of approximately one-half mile. East and west service through the district is provided by the company's rail line No: "8" on 54th Street, as well as the company's "V" rail line on Vernon Avenue to the east of Vermont, and its No. "27" motor coach line on Vernon Avenue to the west of Vermont. Frequent service is provided on each of these lines of transportation with headways varying from ten minutes in the base period to as low as three minutes during the time of peak travel.

Under the company's proposal the "F" rail service on Hoover Street between Florence and Senta Barbara Avenues will be transferred to Vermont Avenue. This proposed change will have the effect of reducing hazard and traffic interference at two intersections, one at the intersection of Florence and Vermont Avenues,

and the other at Hoover Street at its intersection with the company's private right of way immediately north of Florence Avenue: This proposed change in operation would have the effect of eliminating 246 turning movements a day at each location: It also will eliminate the necessity of passengers transferring between the "F" and "U" car lines at Vermont and Florence Avenues:

The plan of transferring the "F" car line service from Hoover Street to Vermont Avenue is an important part of the plan to eliminate the "U" car line in its entirety with its circuitous route, and attending turning movements along the line. As referred to above, the "U" car line now operates in both directions along Fifth Street, through the central business district of the city. This operation along Fifth Street must be abandoned if the major plan of effecting one-way traffic on this street is to be carried out. The discontinuance of service along that portion of the "U" line between the intersections of McClintock and Vermont and Washington and Figueroa will have the effect of eliminating 2,032 turning movements a day. (Exhibit No. 10)

With respect to the effect on real estate values and rentals that would follow the abandonment of rail service on Hoover Street between Florence and Santa Barbara Avenues, the only statements to support the contention that this abandonment would adversely affect such values, are those from property owners and realters along the line. Exhibit No. 12-A shows that there is not

a heavy volume of passenger traffic to and from points along this section of Hoover Street. In view of the fact that the spacing of the lines of transportation under applicant's plan will not be greater than at one-half mile intervals, it would appear that this residential section will continue to receive reasonable transportation service without the Hoover Street operation.

The evidence impels the conclusion that the overall benefits to be derived from the abandonment of rail operation along. Hoover Street will exceed the expressed disadvantages based upon the improved service with reduced hazard of operation on a system-wide basis.

Similar applications to these under consideration were filed with the City of Los Angeles seeking its approval to effect the proposed changes. After public hearings, the City approved this program in its entirety as evidenced by Exhibit No. 13. The recordalso shows that this major plan of changing the transportation system in the Metropolitan Area has been considered by and received approval from the following organizations: Metropolitan Traffic and Transit Committee, Los Angeles Traffic Association, Central Business District Association, Los Angeles Chamber of Commerce and Downtown Businessmen's Association.

The Street Traffic Engineer of the City of Los Angeles testified that there was an urgent public need for effecting the entire program immediately, from the standpoint of reducing hazard in the city, largely through the elimination of many turning movements which not only create a hazardous situation but seriously add to the highway congestion in the areas affected.

The proposed motor coach extension slong South Figueroa Street should provide service to a well-developed residential section which is not now provided with local transportation.

With one minor exception, no change in fares will result from the execution of the entire revised plan as proposed in these proceedings. This exception applies to the service along Western Avenue between Third Street and Santa Monica Boulevard, a distance of about 12 miles, where it is proposed to discontinue operation of the "S" rail line. At present passengers are afforded transportation through this area on a token fare with a transfer privilege. The token fare will be no longer available to local riders along Western Avenue with the discontinuence of this rail service. Local traffic along this route, under applicant's plan, will be required to pay a fare of 10 cents on the Western Avenue line of the Los Angeles Motor Coach Lines. This particular traffic, however, in traveling between Western Avenue and the downtown area of the city will still have available transportation at the prevailing fares on applicant's system over lines spaced at not to exceed one-half mile intervals. Traffic checks taken on the portion of the line . along Western Avenue between Third Street and Santa Monica Boulevard show the number of local riders in this area to be relatively small.

The record clearly shows that the revised plan of operation as proposed herein will, if put into effect, offer the general public of the Los Angeles Metropolitan Area an improved transportation service, particularly in the way of decreased scheduled operating time, reduced hazard as a result of the elimination of approximately 9,000 daily turns across lines of pedestrians and vehicular traffic which not only creates a hazardous situation, but also interferes with the free flow of traffic along the streets. In reaching this conclusion the Commission has given consideration to the fact that this major plan of revising applicant's transportation system has received the approval of the City of Los Angeles

and many civic and public organizations which have for their objective the support of a plan looking toward an improved transportation service in the Los Angeles Metropolitan Area. As stated above, the only objections voiced at the hearing to the granting of the entire plan as proposed are to be found in the statements made by a few residents, property owners and business interests along two of the routes proposed to be discontinued.

By an amendment to the application, which was filed at the hearing, the Commission is also asked to approve an agreement between applicant and the City of Los Angeles, which provides for the disposition of rails and track structure located in public streets. By this agreement title to the track described therein is transferred to the City of Los Angeles. Rental for the use of the facilities is to be paid to the City until rail service is actually discontinued. The agreement relieves applicant of any obligation for major reconstruction of track, provided the contemplated changes are carried out within one year. It permits the company to proceed with its plan with greater certainty since it makes definite the extent of the company's obligation to the City on track in streets not under franchise, as well as on that covered by franchises. The agreement as approved by the City of Los Angeles is effective as of December 12, 1946.

It is apparent that the proposed changes in transportation service are more or less interlocked whereby the entire plan must be carried out if it is to accomplish the desired result on an overall basis. This feature is emphasized by the fact that, to accomplish the desired results from the establishment of one-way traffic on Fifth and Sixth Streets through the business center of the city, it is necessary to revise the transportation system

as presently conducted over these streets in accordance with some plan along the lines of the one proposed herein. This general plan is in keeping with the policy of the Commission as to the spacing of local transportation lines in the various areas affected. With respect to the service over the revised routes, it will be incumbent on this carrier to provide sufficient facilities to meet the needs of the general public in the future, insofar as it is able to do so through the use of additional modern equipment. In substituting trolley coach or motor coach for rail operation, the company is expected to retain in operation the serviceable rail equipment released from abandoned lines to insure adequate service on all remaining rail routes of applicant's system.

Upon this record we find that public convenience and necessity require that los Angeles Transit Lines be authorized

- (1) To abandon service upon rail lines "U", "D", "3", .
 "H" and "0";
- (2) To discontinue motor coach lines No. "2" and No. "56";
 - (3) To reroute rail lines "F", "R" and "S";
 - (4) To extend motor coach lines No. 7417 and No. 7497;
- (5) To establish new motor coach and trolley coach services;
- (6) And to enter into the agreement between applicant and the City of Los Angeles as proposed herein covering the disposition of rails and track structures along the routes proposed for abandonment.

ORDER

A public hearing having been had in the above-entitled proceeding, the matters having been duly submitted and the Commission having found that public convenience and necessity so require,

IT IS ORDERED,

- (1) That a certificate of public convenience and necessity is hereby granted to los Angeles Transit Lines authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 22 of the Public Utilities Act, for the transportation of passengers between all points over and along the routes described in Appendix "A" attached hereto, and made a part hereof, as an extension and enlargement of and consolidated with applicant's present passenger stage operative rights.
- (2) That in providing service pursuant to the certificate granted in Paragraph (1) hereof, applicant shall comply with and observe the following service regulations:
 - a. Applicant shall file a written acceptance of certificate herein granted within a period not to exceed 30 days from the effective date hereof.
 - b. Within 60 days from the effective date hereof, and on not less than 5 days notice to the Commission and the public, applicant shall establish the service herein authorized and comply with the provisions of General Order No. 79 by filing in triplicate appropriate tariffs:
- (3) That Los Angeles Transit Lines is hereby authorized to establish electric trolley coach operations for the transportation of passengers for compensation between all points over and along the routes described in Appendix "B" attached hereto, and made a part hereof.

- (4) That Los Angeles Transit Lines is hereby authorized to abandon street rail operations over and along the routes described in Appendix "C" attached hereto and made a part hereof, and enter into an agreement with the City of Los Angeles in regard to the disposition of rails and track structures as referred to in the foregoing opinion.
- (5) That Los Angeles Transit Lines is hereby authorized to abandon passenger stage service over and along the routes described in Appendix "D", attached hereto and made a part hereof, and the operative rights therefor are hereby revoked and annulled,
- (6) That Los Angeles Transit Lines is hereby authorized to discontinue regular street railway operations over and along the routes described in Appendix "E", attached hereto and made a part hereof, but to retain the operative rights therefor.
- (7) That the authority for abandonments as herein granted shall be exercised only coincidently with establishment of substitute services as authorized herein or the improved service as proposed by applicant in each case.

The effective date of this order shall be 20 days from the date hereof.

Dated at Law Inular, California, this 28 th

COMMISSIONERS

APPENDIX "A"

PUBLIC HIGHWAYS OVER WHICH CERTIFICATES OF PUBLIC CONVEN-IENCE AND NECESSITY ARE GRANTED TO LOS ANGELES TRANSIT LINES TO CONDUCT PASSENGER STAGE OPERATION (MOTOR COACH).

Along Hoover Street between 24th Street and Hoover Boulevard.
Along Hoover Boulevard between Hoover Street and Exposition Boulevard.

Along Main Street between Florence Avenue and San Pedro Place. Along San Pedro Place between Main Street and Woodlawn Avenue.

Along Woodlawn Avenue between San Pedro Place and Maple Avenue.

Along Maple Avenue between Woodlawn Avenue and 5th Street.
Along 5th Street between Central Avenue and Kill Street.
Along 3rd Street between Columbia Avenue and Virgil Avenue.
Along Virgil Avenue between 3rd street and Melrose Avenue.
Along Melrose Avenue between Virgil Avenue and Oxford Avenue.

Along Figueroa Street between Manchester Avenue and Century Boulevard.

Along Fremont Avenue between 6th Street and 3rd Street. Along Central Avenue between 58th Street and 5th Street.

Along 5th Street between Flower Street and 6th Street, across Beaudry Avenue and Boylston Street.

Along 6th Street between Wilton Place and Flower Street.

Along 6th Street between Hill Street and Central Avenue.

Along Olive Street between 5th Street and 6th Street.

Applicant may turn its motor vehicles at termini or intermediate points either in the intersection of the street, or by operating around a block, in either direction, contiguous to such intersection.

APPENDIX "B"

PUBLIC HICHWAYS OVER WHICH LOS ANGELES TRANSIT LINES IS AUTHORIZED TO ESTABLISH ELECTRIC TROLLEY COACH OPERATION. (TROLLEY BUS OR TRACKLESS; TROLLEY).

Along Central Avenue between 58th Street and 5th Street.

Along 5th Street between Central Avenue and 6th Street,

across Beaudry Avenue and Boylston Street.

Along 6th Street between Central Avenue and Wilton Place,

Along Wilton Place between 6th Street and 5th Street.

Along 5th Street between Wilton Place and Private Right of

Way (between Gramercy Place and Wilton Place).

Along 6th Street between 6th Street and Kohler Street.

Along Kohler Street between 6th Street and Central Avenue.

Along Wilde Street between Kohler Street and Central Avenue.

Along Vernon Avenue between Central Avenue and Wadsworth Street.

Along Wadsworth Street between Vernon Avenue and 43rd Place.

Along 43rd Place between Madsworth Street and 6th Street.

Along 57th Street between Central Avenue and Naomi Avenue.

Along Naomi Avenue between 57th Street and 58th Street.

Along Maple Avenue between 6th Street and 5th Street.

Applicant may turn its motor vehicles at termini or intermediate points either in the intersection of the street, or by operating around a block, in either direction, contiguous to such intersection.

APPENDIX "C"

PUBLIC HICHWAYS OVER WHICH LOS ANGELES TRANSIT LINES IS AUTHORIZED TO ABANDON STREET RAILWAY OPERATION.

Along Hoover Street between its intersection with Private Right of Way north of Florence Avenue and Asth Street.

Along Wall Street between Vermon Avenue and Santa Barbara Avenue. Along Santa Barbara Avenue between the southern intersection of Wall Street and Woodlawn Avenue.

Along Woodlawn Avenue between Santa Barbara Avenue and Maple Avenue.

Along Moodlawn Avenue between Santa Barbara Avenue and Maple Avenue.

Along Main Street between the intersection of Florence Avenue and Broadway Place.

Along McClintock Avenue between Exposition Boulevard and 32nd Street.

Along 32nd Street between McClintock Avenue and Hoover Street.

Along 32nd Street between 22nd Street and Union Avenue.

Along Union Avenue between 23nd Street and 23rd Street.

Along 23rd Street between Union Avenue and Estrella Avenue.

Along Figueroa Street between 5th Street and Mashington Boulevard.

Along Figueroa Street between 5th Street and 7th Street.

Along Alvarado Street between 5th Street and 3rd Street.

Along Briest between Alvarado Street and Bonnie Brae Street.

Along Bonnie Brae Street between 5th Street and Bonnie Brae Street.

Along Rampert Boulevard between 3rd Street and Beverly Boulevard.

Along Rampert Boulevard between for Street and Private Right of Way at La Fayette Park Place.

Along Bimini Place between Rampart Boulevard and Private Right of Way near 1st Street.

Along Bimini Place between Relictorpe Drive and Western Avenue.

Along Melrose Avenue between File Street and Santa Monica Boulevard.

Along Melrose Avenue between Street and Santa Monica Boulevard.

Along Central Avenue between Central Avenue and Kohler Street.

Along 6th Street between Central Avenue and Kohler Street.

Along 6th Street between Central Avenue and Central Avenue.

Along Wilde Street between 6th Street and Central Avenue.

Along Maple Avenue between 7th Street and Woodlawn Avenue.

APPENDIX "D"

PUBLIC HICHWAYS OVER WHICH LOS ANGELES TRANSIT LINES IS AUTHORIZED TO ABANDON PASSENGER STACE SERVICE. (MOTOR COACH).

Along Belmont Avenue between Clinton Street and Lome Drive.
Along Loma Drive between Belmont Avenue and 2nd Street.
Along 2nd Street between Loma Drive and Columbia Avenue.
Along Columbia Avenue between 2nd Street and 3rd Street.
Along Scott Street between Alvarado Street and Clendale Boulevard.
Along Clendale Boulevard between Scott Street and Montana Street.
Along Montane Street between Clendale Boulevard and Alvarado Street.
Along Western Avenue between Melrose Avenue and Marathon Street.
Along Oxford Avenue between Melrose Avenue and Marathon Street.
Along Marathon Street between Western Avenue and Cxford Avenue.

APPENDIX "E"

PUBLIC HIGHWAYS OVER WHICH LOS ANGELES TRANSIT LINES IS AUTHORIZED TO DISCONTINUE REGULAR STREET RAILWAY OPERATION, BUT RETAIN OPERATING RICHTS.

Along Wall Street between 53rd Street and Vernon Avenue: Along Central Avenue between 5th Street and 12th Street. Along Figueroa Street between 7th Street and 11th Street. Along 53rd Street between San Pedro Street and Wall Street.