

ORIGINALDecision No. 43703

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)

LOS ANGELES TRANSIT LINES)

for authority to abandon street car)
tracks and facilities on Evergreen)
Avenue, Indiana Street and other)
streets.)

Application No. 30632

O P I N I O N

By Decision No. 38806, dated April 2, 1946, on Application No. 27147 and Sixty-second Supplemental Application No. 19179, applicant was authorized to discontinue rail passenger service along certain described routes, two of which were used for the operation of applicant's Evergreen Avenue rail shuttle line and its Indiana Street rail shuttle line. The decision did not authorize the abandonment of tracks and facilities along the routes of portions of said lines, which are hereinafter more particularly described, because of the fact that at that time the said tracks and facilities were necessary for emergency pull-in and pull-out movements of cars incidental to the use of other lines.

In the instant proceeding, applicant seeks authority to abandon certain tracks and facilities referred to above, as they are no longer required in its operations. Said tracks and facilities are located on the following streets:

Evergreen Avenue from Brooklyn Avenue to East 4th Street, East 4th Street from Evergreen Avenue to Euclid Avenue, Euclid Avenue from East 4th Street to a point one hundred feet (100') northerly of East 6th Street. Indiana Street from East 1st Street to Whittier Boulevard.

All of the tracks and facilities are located within the City of Los Angeles. with the exception of a portion of the track located on the easterly side of Indiana Street, which is in an unincorporated area of the County of Los Angeles.

Applicant contends that it is no longer necessary to use the tracks on the above-named streets for emergency and pull-in and pull-out movements of cars to and from applicant's other street railway operations on Brooklyn Avenue, East First Street, and Whittier Boulevard, as trolley coach operation has been substituted for streetcar operation on Brooklyn Avenue and a turn-back loop for rail service on East First Street has been constructed at First and Chicago Streets. Recently completed plans by the City of Los Angeles for the redesign of the intersection of Whittier Boulevard and Indiana Street make no provision for the curved-track connections at this location.

Applicant desires, however, to retain that portion of its track on Euclid Avenue between Whittier Boulevard and a point 100 feet northerly of East Sixth Street for the purpose of providing turn-back facilities for operations on Whittier Boulevard.

Applicant further requests that it not be required to remove the remainder of said tracks and facilities as it proposes to liquidate its obligations for track removal for those tracks located within the City of Los Angeles under and

pursuant to its franchise from the City of Los Angeles⁽¹⁾ and to negotiate with the County of Los Angeles for settlement of any obligations applicable to track located within said county.

Applicant states that considerable loss and expense will be sustained as a result of abandonments herein proposed because of retirement of nondepreciable way and structures and payments to be made in lieu of removal and dismantling of tracks and related structures. Accordingly, applicant requests authority to set up a suspense account for the tax savings resulting from these losses and expenses and to amortize these tax savings over the same period as the loss and expense items are amortized, all as set forth in Exhibit "B" attached to the application. This portion of the proposal does not appear to be adverse to the public interest and will be approved for accounting purposes only.

A careful review of the requests herein contained indicates that they are in the public interest and that the application should be granted. No public hearing is necessary.

ORDER

Application as above entitled having been filed and the Commission being fully advised,

IT IS HEREBY ORDERED that Los Angeles Transit Lines be, and it hereby is, authorized to:

(1) Section 33, Los Angeles Transit Lines' Franchise, City of Los Angeles Ordinance No. 90,343. The exercise of this franchise was authorized by Decision No. 39163, dated June 25, 1946, on Application No. 27425.

(1) Abandon, but not necessarily remove, tracks and facilities along the following streets:

Evergreen Avenue from Brooklyn Avenue to East 4th Street, East 4th Street from Evergreen Avenue to Euclid Avenue, Euclid Avenue from East 4th Street to a point one hundred feet (100') northerly of East 6th Street. Indiana Street from East 1st Street to Whittier Boulevard.

(2) Effect the accounting entries as set forth in Exhibit "B" attached to the application and as indicated in the foregoing opinion.

The authority herein granted shall expire unless exercised within ninety (90) days after the effective date of this order.

The effective date of this order shall be twenty (20) days after the date hereof.

Dated at San Francisco, California, this 17th day of January, 1950.

R. E. Anderson
Justus F. Craven
Leah F. Powell
Harold P. Keli
Herbert P. Potts
COMMISSIONERS