

ORIGINAL

Decision No. 45682

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
PACIFIC ELECTRIC RAILWAY COMPANY, a )	
corporation, for authority to replace )	Application No. 32137
rail service on its Pasadena Short )	
Line and Sierra Vista Line with )	
motor coach service. )	

C. W. Cornell and E. D. Yeomans for applicant. Harry H. Cook in propria persona, protestant; Roger Arnebergh, K. Charles Bean, and T. M. Chubb, for the City of Los Angeles, H. Burton Noble, for the City of Pasadena, Stanley M. Lanham, for Los Angeles Transit Lines, Warren P. Marsden and P. O. Harding, for the Department of Public Works, Division of Highways, State of California, L. C. Faus, in propria persona, Clara McDonald, for United Patriotic People of U. S. A., and J. G. Hunter, for the Public Utilities Commission, interested parties.

O P I N I O N

Applicant herein requests authority to replace rail service on its Pasadena Short Line and Sierra Vista Line with motor coach service. Subsequent to the filing of the original application, an amendment was filed which changes the proposed route of the Sierra Vista Line, but otherwise does not affect the application.

A public hearing was held in this matter on April 11, 1951, in Los Angeles, before Commissioner Potter and Examiner Syphers, at which time evidence was adduced and the matter submitted. It is now ready for decision.

At the hearing an affidavit of posting notice in the cars and stations of applicant was filed, and the record shows that the notice of hearing was served upon all interested parties. The only party appearing in protest was an individual appearing in propria persona, who presented no testimony. The appearances

of the cities and governmental bodies concerned were as interested parties.

Testimony was presented by the Department of Public Works, Division of Highways of the State of California, in explanation of its letter of February 8, 1951, attached to the application herein, and addressed to the applicant company, which letter advises that, due to the contemplated freeway construction, the franchise of applicant over Aliso Street will be terminated, effective ninety days after the date of the letter. The franchise in question is one granted by the City of Los Angeles to Pacific Electric Railway Company on April 1, 1946, in which there was a clause specifically providing for the termination of Pacific Electric Railway Company's rights on Aliso Street, either by the City of Los Angeles or by the State Department of Public Works, Division of Highways, on ninety days' written notice.

According to the testimony, the freeway development in the Los Angeles area has been occasioned by great increases in population, combined with a phenomenal increase in the use of highways by motor vehicles, including private automobiles, commercial vehicles, and those vehicles devoted to mass transportation of people. This situation has created a problem of congestion, to solve which the State of California has spent, and is contemplating spending, many millions of dollars for freeway construction. In the Los Angeles area, Aliso Street becomes one of the key thoroughfares, inasmuch as it will be converted into a freeway. It was pointed out that the presence of rails on this street would so limit its capacity as a freeway that it would not be adequate to handle the traffic which will be diverted over it. It is estimated that the proposed freeway, when completed, will be called upon to carry some 84,000 vehicles daily, with peaks in one direction of 4,800 vehicles per hour just westerly of Vignes Street and 6,200 per hour easterly of Vignes Street. If rail cars are continued to be operated on this street,

then its capacity will remain as at present, which the record indicates as being 42,000 vehicles per day east of Vignes Street, with peaks of approximately 2,000 cars per hour in one direction. Exhibit No. 1 is a statement by the Assistant State Highway Engineer of the Department of Public Works, Division of Highways, elaborating upon this theme.

It was further pointed out that it is necessary for the State Department of Public Works to have the rails removed by the middle of September, 1951, if this freeway program is not to be delayed unnecessarily. This department presented further studies showing that approximately 92,000 people are moved over Aliso Street daily in both directions. The Pacific Electric Railway Company's records show that of this total, only 7,670 passengers in both directions, or 8.35 per cent, move via the Aliso Street rail facilities.

The principal traffic engineer of the City of Los Angeles testified that, in his opinion, the rails should not be continued on Aliso Street. He stated that the presence of rails would impede vehicular traffic, and that, with the tracks on Aliso Street, it could not be redesigned to meet the motor vehicle demands.

The applicant's evidence consisted of a study made by one of its engineers as to the Pasadena Short Line and Sierra Vista passenger operations, together with related exhibits. This study reviews the recent history of these lines, and then sets out the present services. It is interesting to note that the areas served by both of these lines are essentially residential or home communities, with the principal industries being light commercial and retail trade. An analysis of these two lines shows that they have not been operated at a profit. The Pasadena Short Line incurred a loss of \$16,576 in 1949 and \$20,176 in 1950. The Sierra Vista Line showed a loss of \$165,789 in 1949 and a loss of \$176,405 in 1950. The factors

advanced in explanation of these losses were three: (1) there has been a continual downtrend in passenger traffic, (Exhibit No. 7 shows a continuing downward trend in the number of revenue passengers on both of these lines since 1946), (2) the maintenance of way and structures is an extremely heavy item on these two lines since they are solely passenger lines and must bear this total expense without segregating any of it to freight operations, and (3) there has been a continued increase in the cost of labor and materials. The last wage increase of passenger trainmen was October 1, 1950, and amounted to 11 cents per hour, and an agreement has now been reached between the company and its nonoperating employees for an increase of 12-1/2 cents an hour, effective February 1, 1951.

This same study likewise pointed out that, if the rail operations are to be continued, extensive track rehabilitation will be necessary which would amount to a total estimated cost of \$624,311. This amount does not include any costs for relocating the tracks on Aliso Street. Exhibit No. 15 shows that a temporary relocation of these tracks during freeway construction would cost \$421,500, and Exhibit No. 16 shows that the permanent relocation of these tracks would involve constructing a new grade separation and would cost approximately \$2,483,500.

In view of this testimony, which was not contradicted in any way at the hearing, it becomes obvious that it would not be practical to compel this applicant to spend such large sums of money to relocate tracks for lines that are not operating on a profitable basis, unless there be a strong, compelling public interest which requires the retention of these tracks.

It is the proposal of applicant to substitute motor coaches for the passenger rail service. Testimony presented at the hearing indicated that the motor coaches would be of the most modern type, would be well-ventilated, and that there would be a sufficient number of motor coaches to supply a seating capacity comparable to that of the existing rail service.

In the light of this record we conclude that the substitution of motor coaches for rail service will provide a workable means of transporting the passengers. Therefore, we find that there is not a sufficient compelling public interest to require the retention of rail service under the conditions set out herein.

Tables 3 and 4 of Exhibit No. 7 set out the estimated results of operations for the present rail operations and for the proposed motor coach operations. This testimony shows that there is a definite possibility of improvement in the financial results through the substitution of motor coaches. A condensation of these tables follows:

PASADENA SHORT LINE

	Present		Proposed	
	Rail Operations		Motor. Coach Operations	
	Amount	¢ Per Mile	Amount	¢ Per Mile
	(1)	(2)	(3)	(4)
Passenger Revenue	\$281,400	79.64	\$281,400	75.25
Operating Expenses & Taxes	<u>320,679</u>	<u>90.75</u>	<u>223,733</u>	<u>59.83</u>
Net Income	<u>(\$ 39,279)</u>	<u>(11.11)</u>	<u>\$ 57,667</u>	<u>15.42</u>

SIERRA VISTA LINE

Passenger Revenue	\$196,400	59.60	\$196,400	47.08
Operating Expenses & Taxes	<u>327,189</u>	<u>99.30</u>	<u>253,260</u>	<u>60.70</u>
Net Income	<u>(\$130,789)</u>	<u>(39.70)</u>	<u>(\$ 56,860)</u>	<u>(13.62)</u>

Testimony was presented by an engineer of the staff of the Public Utilities Commission, the substance of which was to suggest a different routing for the proposed motor coach operations along

Huntington Drive, and to estimate the number of motor coaches required to replace the present rail service. This testimony proposed that a new roadway for the use of motor coaches only be cut across the Pacific Electric right-of-way through the northeast corner of the Sierra Vista Station grounds. This could be done at a nominal cost and would provide a means whereby the outbound coaches from Los Angeles could operate on the south side of Huntington Drive, and the inbound coaches on the north side. It was pointed out that such an arrangement was desirable due to traffic congestion, particularly in the El Sereno district. This witness also testified that it would not be possible to have standees on the motor coaches which applicant proposes to use on the Pasadena Short Line without exceeding the authorized weight limits under Section 704 of the California Vehicle Code.

The Board of Public Utilities and Transportation of the City of Los Angeles has considered this matter, and, under date of April 13, 1951, has approved the substitution of motor coach service for rail service, subject to a later determination as to routing and scheduling of these motor coach lines. Under date of April 24, 1951, the Board of Public Utilities issued Franchise No. 90344, specifying the routes over which these motor coach lines might operate within the City of Los Angeles.

After a thorough consideration of the testimony presented herein, we are of the opinion, and hereby find, that it will be in the public interest to permit the substitution of motor coach service for rails, as proposed by the applicant. The parts of the routes in the City of Los Angeles for the motor coach service which we authorize herein are the same as those authorized by the Board of Public Utilities and Transportation of the City of Los Angeles. During construction or upon completion of the freeway,

it may become necessary and desirable to provide for other routes in the vicinity of Aliso Street, at which time applicant will be expected to apply for the necessary authority from this Commission.

O R D E R

Application as above entitled having been filed, a public hearing having been held thereon, the Commission being fully advised in the premises and hereby finding that public convenience and necessity so require,

IT IS ORDERED:

(1) That, subject to the conditions hereinafter provided, the Pacific Electric Railway Company be, and it hereby is, authorized to discontinue rail passenger service on the Pasadena Short Line and the Sierra Vista Line.

(2) That the Pacific Electric Railway Company be, and it hereby is, authorized to abandon rails over the following described routes:

Commencing at San Pedro and Fourth Streets in the City of Los Angeles Mile Post 0.652, thence northerly on San Pedro Street to Aliso Street Mile Post 1.045 on a city owned double track electric line. Also commencing at San Pedro Street and Aliso Street Mile Post 1.045, thence easterly on Aliso Street and private right of way to Macy Street, Mile Post 1.962, together with cross-overs, spurs, sidings, and other appurtenances. A total length of 1.310 miles, all in the City of Los Angeles.

Also commencing at Valley Junction in the City of Los Angeles Mile Post 3.112, thence a double track electric line northerly on private right of way to Mile Post 4.470 at Indian Village, thence a four track electric line northeasterly on private right of way to Mile Post 8.250 at Oneonta Park in the City of South Pasadena, thence a double track electric line northerly on private right of way and Fair Oaks Avenue to end of line at Walnut Street in the City of Pasadena Mile Post 11.421, together with crossovers, spurs, sidings and other appurtenances. A total length of 8.309 miles, in the Cities of Los Angeles, Alhambra, South Pasadena and Pasadena.

Commencing at the connection with the Pasadena Short Line at Sierra Vista in the City of Alhambra Mile Post 7.380, thence easterly on private right of way to a point near Fremont Avenue Mile Post 7.776, a total length of 0.396 miles.

(3) That a certificate of public convenience and necessity be, and it hereby is, granted to the Pacific Electric Railway Company, authorizing the establishment and operation of a service as a passenger stage corporation, as that term is defined in Section 2-1/4 of the Public Utilities Act, for the transportation of persons along the routes and between the points hereinafter specified, and as an extension and enlargement of, and to be consolidated with, applicant's existing rights:

Pasadena Short Line:

From Main Street Station at Sixth and Main Streets (Los Angeles) via Main Street, or as an alternate from Los Angeles Street Terminal (Los Angeles) via Los Angeles Street, Sixth Street, San Pedro Street, Aliso Street, Mission Road, Huntington Drive South, Main Street, Huntington Drive South, Fremont Avenue, Huntington Drive North, and Fair Oaks Avenue to Walnut Street, Pasadena.

Returning via Fair Oaks Avenue, Huntington Drive North, Mission Road, Aliso Street, San Pedro Street, Fifth Street and Maple Avenue to Los Angeles terminal.

Sierra Vista Line:

From Main Street Station at Sixth and Main Streets (Los Angeles) via Main Street, or as an alternate from Los Angeles Street Terminal (Los Angeles) via Los Angeles Street, Sixth Street, San Pedro Street, Aliso Street, Mission Road, Marengo Street, Soto Street, Huntington Drive South and Main Street (Alhambra) to Hampden Terrace-Huntington Drive South, thence into Pacific Electric Railway's private property at Sierra Vista Station.

Returning via Huntington Drive North, Monterey Road, Huntington Drive South, Soto Street, Marengo Street, Mission Road, Aliso Street, San Pedro Street, 5th Street, Maple Avenue, and Los Angeles Street, to the Los Angeles terminal.

Applicant is authorized to turn its motor vehicles at termini and intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections, or in accordance with local traffic rules.



(4) That, in providing service pursuant to the certificate herein granted, there shall be compliance with the following service regulations:

- (a) Within thirty (30) days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted.
- (b) Within one hundred eighty (180) days after the effective date hereof, and upon not less than the periods otherwise herein prescribed, and in no case less than five (5) days' notice to the Commission and the public, applicant shall establish the service herein authorized and shall comply with the provisions of General Order No. 79 and Part 19 of General Order No. 98, by filing in triplicate, and concurrently making effective, tariffs and time schedules satisfactory to the Commission.

(5) That the abandonment of rail service hereinabove authorized is subject to the following conditions:

- (a) Changes in service shall be made only after thirty (30) days' notice to this Commission and the public, and shall be subject to the same conditions as were prescribed in Decision No. 44161, dated May 9, 1950, on Application No. 30095, relative to the substitution of motor coach for rail service on the Monrovia-Glendora line.
- (b) Motor coaches to be purchased shall be new, modern equipment and shall be equal or superior to the equipment described at the hearings in these proceedings in connection with the company's proposals. Particularly, shall such equipment contain forced ventilation and shall be designed in such a manner as to reduce noise, fumes, and odors to a practical minimum. Before any motor coach equipment is substituted for rail service, the company shall submit detailed specifications to this Commission and secure the Commission's approval.

(6) That failure of applicant to comply with any of the provisions of this order, without prior authorization of this Commission, will render the authority herein granted null and void.

In all other respects this application is hereby denied.

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

Dated at Los Angeles, California, this 8<sup>th</sup>  
day of May, 1951.

A. J. [Signature]  
Justus J. Caswell

[Signature]  
[Signature]

COMMISSIONERS