

ORIGINAL

Decision No. 50575

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of ASBURY RAPID TRANSIT SYSTEM, a corporation, for authority to abandon a portion of its Riverside Drive Line; and for authority to abandon, reroute and extend a portion of its St. Joseph's Hospital Line; and for authority to abandon, reroute and extend its lines in the vicinity of the Los Angeles Terminal.

Application No. 35528

Application of METROPOLITAN COACH LINES, a corporation, for modification of restriction on its Los Angeles-North Hollywood-Van Nuys via Riverside Drive Line No. 86.

Application No. 35573

CITY OF GLENDALE, a municipal corporation,

Complainant,

vs.

Case No. 5557

METROPOLITAN COACH LINES, a corporation; and ASBURY RAPID TRANSIT SYSTEM, a corporation,

Defendants.

- Rodney F. Williams and Thomas Arnott, for Asbury Rapid Transit System, applicant.
- Jesse L. Haugh and Dale Harlan, for Metropolitan Coach Lines, applicant.
- Henry McClernan, City Attorney, City of Glendale, by John H. Lauten, Assistant City Attorney, for City of Glendale, complainant in Case 5557 and interested party in Application 35528 and Application 35573.
- Archie L. Walters, City Attorney, for City of Burbank; Colonel F. C. Lynch, for Burbank Chamber of Commerce; T. M. Chubb, Chief Engineer and General Manager, Department of Public Utilities and Transportation, City of Los Angeles, by Clark H. Sturm; David Canning, for Los Angeles Transit Lines; interested parties.
- William F. Hibbard, Associate Transportation Engineer, for the Commission's staff.

O P I N I O N

(1)

Asbury Rapid Transit System (hereinafter referred to as
(2)

Asbury) has authority from this Commission to route its Los Angeles-
Riverside Drive-Burbank line (V-Route) as follows:

Commencing at applicant's off-street terminal at Eighth, Maple, and Cecilia Streets, thence via Cecilia Street, Eighth Street, Spring Street, New High Street, Ord Street, Castelar Street, North Figueroa Street, Riverside Drive, Victory Boulevard, Victory Place, Empire Avenue to an unnamed street just west of Hollywood Way, thence north to Union Air Terminal, thence over a private street to Hollywood Way, thence via Hollywood Way to San Fernando Road, thence via San Fernando Road to San Fernando; return via reverse of the going route to the intersection of New High Street and Sunset Boulevard, thence via Sunset Boulevard, Los Angeles Street, Ninth Street, Santee Street, Eighth Street to applicant's terminal at the intersection of Eighth Street and Maple Avenue.

The foregoing authority is subject to the following

(3)

restrictions:

No passengers shall be carried locally between applicant's Los Angeles terminal at Eighth Street and Maple Avenue and the intersection of Riverside Drive and Victory Boulevard (Glendale-Los Angeles city limits), provided, however, that passengers may be picked up and distributed at:

- (a) The main entrance to the federal housing project located south and west of Riverside Drive at or near the National Guard airport in the City of Los Angeles, and

-
- (1) Metropolitan Coach Lines has authority from this Commission to acquire all stock of Asbury Rapid Transit System, Decision No. 50285, dated July 20, 1954, in Application No. 35574.
- (2) Decision No. 33690, dated December 3, 1940, in Application No. 23685. Los Angeles terminus routes are described in Decision No. 40982, dated December 1, 1947, in Application No. 28850; Decision No. 44783, dated September 11, 1950, in Application No. 31727; and Decision No. 49274, dated November 3, 1953, in Application No. 34835.
- (3) Decision No. 41263, dated March 2, 1948, in Fourth Supplemental Application No. 23685.

A-35528 SL
A-35573
C-5557

(b) The intersection of Riverside Drive and
Los Feliz Boulevard in the City of Los Angeles

regardless of their origin or destination.

In conjunction with the foregoing described line, applicant has authority to operate via Olive Avenue (in Burbank) between Victory Boulevard and San Fernando Road.⁽⁴⁾

By Application No. 35528, Asbury requests authority (1) to abandon service via that portion of the Los Angeles-Riverside Drive-Burbank line between its Los Angeles terminal and the intersection of Empire Avenue and Lincoln Street in Burbank, (2) to abandon service over the extension of this line along Olive Avenue between Victory Boulevard and San Fernando Road, and (3) to abandon service through its terminus at Eighth and Cecilia Streets, and in lieu thereof to operate from the intersection of Eighth Street and Los Angeles Street via Los Angeles Street, Eleventh Street, Main Street and Spring Street to Eighth Street. Between Eighth Street and Sunset Boulevard the north and south routes will be the same as at present.

Asbury also renders service in Burbank between St. Joseph's Hospital and the intersection of Olive Avenue and San Fernando Road⁽⁵⁾ via Buena Vista Street, Alameda Avenue, Lake Street, Verdugo Avenue, and San Fernando Road to Olive Avenue.

It requests that it be given authority to reroute a portion of this line from the intersection of Victory Boulevard and Alameda Avenue via Victory Boulevard and Verdugo Avenue to Lake Street in lieu of via Alameda Avenue and Lake Street to Verdugo Avenue.

(4) Decision No. 49947, dated April 20, 1954, in Application No. 30638, 7th Supplemental.

(5) Decision No. 49947, dated April 20, 1954, in Application No. 30638, 7th Supplemental.

(6)
Metropolitan Coach Lines (hereinafter referred to as Metropolitan) operates its Los Angeles-North Hollywood-Van Nuys line, Route No. 86, as follows:

From the terminal between 4th and 5th Streets on Olive Street (Los Angeles), thence via Olive Street, 5th Street, Figueroa Street, Riverside Drive, Lankershim Boulevard, Oxnard Street, Whittsett Avenue, Victory Boulevard, Van Nuys Boulevard, Osborne Street, Woodman Avenue, Chase Street to Van Nuys Boulevard, returning via the reverse of the going route to Figueroa Street and 5th Street (Los Angeles), thence via Figueroa Street, 6th Street, and Olive Street to the Los Angeles terminal. (7)

The foregoing authority is subject to the following (8) restrictions:

- (1) Passengers shall not be handled locally between the terminus of the line in Los Angeles and the inter-section of Riverside Drive and Main Street, Burbank, both points inclusive, including intermediate points.
- (2) Passengers shall not be handled locally along Riverside Drive, between Buena Vista Street and Cartwright Avenue, both points inclusive, including intermediate points.
- (3) Passengers shall not be handled to or from points along Riverside Drive between Cartwright Avenue and Biloxi Avenue, both points inclusive, on the one hand, to or from points along Lankershim Boulevard between Magnolia Boulevard and Burbank Boulevard, both points inclusive, on the other hand.
- (4) Passengers and express may not be received or discharged along Arroyo Seco Freeway (North Figueroa Street) between Riverside Drive and Alpine Street.

-
- (6) Metropolitan Coach Lines is the successor to Pacific Electric Railway Company's passenger rights, Decision No. 48923, dated August 4, 1953, in Application No. 34249.
 - (7) Decision No. 46471, dated November 27, 1951, in Application No. 32443, as amended by Decision No. 47974, dated November 25, 1952, in Application No. 33638.
 - (8) Decision No. 48882, dated July 28, 1953, in Application No. 34384. Restriction No. (4) is in Decision No. 46471 referred to in footnote 7 supra.

15
A-35528 SL *
A-35573
C-5557

By Application No. 35573 Metropolitan requests that the restrictions on Line No. 86 be modified to read as follows, and that the request be considered concurrently with the application of Asbury referred to above:

- (1) Passengers shall not be handled locally between the terminus of the line in Los Angeles and the intersection of Riverside Drive and Hyperion Avenue, (9) both points inclusive.
- (2) Passengers may not be received or discharged in the fully operated portion of the Arroyo Seco Freeway (North Figueroa Street) between Riverside Drive and Alpine Street.

The City of Glendale filed the petition in Case No. 5557 requesting that Metropolitan's existing restriction No. 1 referred to above be modified to read as follows:

- (1) Passengers shall not be handled locally between the terminus of the line in Los Angeles and the intersection of Riverside Drive and Forest Lawn Drive, both points inclusive, including intermediate points.

The three matters were consolidated for hearing, and a public hearing thereon was held in Los Angeles on August 18, 1954, before Examiner Kent C. Rogers, evidence was presented and the matter was submitted, subject to the filing of Exhibit No. 8. This exhibit has been filed and the matter is ready for decision. Asbury's attorney stated that notice of the hearing before the Board of Public Utilities and Transportation of the City of Los Angeles was posted in the buses (Exhibit No. 1) and there were no appearances thereat by public witnesses.

(9) Changed at the hearing from Los Feliz Boulevard to enable Metropolitan and Los Angeles Transit Lines to exchange transfer privileges at the intersection of Riverside Drive and Los Feliz Boulevard.

A-35528 SL
A-35573
C-5557

Concerning Asbury's request for authority to reroute its Los Angeles terminal loop, the evidence shows that this proposal will eliminate several hazardous turns and will allow Asbury to save approximately \$1,100 per month terminal expense. No stops will be made south of Eighth Street in either direction. The City of Los Angeles has provided a red zone on 11th Street for applicant's use. This is a minor rerouting and it does not appear to be adverse to the public interest. It will be authorized.

Concerning Asbury's request for authority to reroute its service in Burbank via Victory Boulevard between Alameda Avenue and Verdugo Avenue instead of along Lake Street between these two cross streets, it appears that the proposed routing is safer than the existing route and that it is not over one-quarter of a mile therefrom. This is a minor rerouting and it does not appear to be adverse to the public interest. It will be authorized.

The record herein and the files of this Commission show the facts hereinafter set forth concerning Asbury's request for authority to abandon service.

Asbury provides service via two branches on its V-Route. One branch operates from the downtown Los Angeles terminal on 8th Street via Riverside Drive, Victory Boulevard, Victory Place and Empire Avenue to the Lockheed Air Terminal and return. Two morning and two afternoon trips in each direction operate over this branch. An additional ten schedules per day are routed via Riverside Drive and Victory Boulevard to Olive Avenue at which point they turn east to San Fernando Road. On San Fernando Road, applicant operates numerous schedules per day between Los Angeles and the Lockheed Plant, and other destinations including San Fernando. In December, 1940, the Riverside Drive-Victory Boulevard service was authorized. In April, 1954, the service via Olive Avenue between Victory Boulevard

A-35528 SL
L-35573
C-5557

and San Fernando Road was authorized. In 1947 Rodger Young Village (referred to in restriction (a) in Decision No. 41263) was completed and thereafter acquired about 5,000 residents. Asbury was then permitted to serve that point. The village has since been abandoned. Since January, 1952, Asbury's revenue over the portions of the line it here seeks to abandon has decreased from approximately \$7,000 per month to approximately \$3,000 per month in June, 1954, although fares have been increased. The total number of passengers carried has decreased from 32,749 in January, 1952, to 8,814 in June, 1954, and the passengers per mile have decreased from 1.71 to .94. During the same period, applicant has decreased its services. The revenue per mile has decreased from 35.5 cents to 29.3 cents despite the fare increases. Applicant claims to have lost 73 per cent of the passengers on the line in question since 1952. Applicant's out-of-pocket costs of operating the line are allegedly 38.448 cents per mile.

Exhibit No. 8 herein shows other Asbury services in the area which, it is claimed, could serve the patrons if the abandonment were authorized, as well as the fares now paid by the patrons and those they would be required to pay. Passengers using the remaining services between Western Avenue (in Burbank) and points south thereof and Los Angeles will pay lower fares than at present; passengers using the services between the Lockheed Plant, and points north thereof, and Los Angeles will pay the same fare as at present; and all passengers to or from points intermediate to the Lockheed Plant and Western Avenue will be required to pay from 8 to 15 cents more in each direction. It appears obvious that additional time will be required as the remaining service to Los Angeles will be via San Fernando Road which is approximately one mile east of Riverside Drive-Victory Boulevard.

4-35528 SL
4-35573
C-5557

Exhibit No. 6 is a passenger destination check made by applicant on June 17, 1954. It shows a total of 188 passengers using the line in question on that day. A check of this exhibit against the map on Exhibit No. 8 shows approximately 75 passengers (excluding those who debarked at Olive and San Fernando Road and would be served by the San Fernando Road line) who would be required to pay increased fares of from 16 to 30 cents per day for services in the event the application were granted. This is in addition to increased time in transit necessitated by the travel on a connecting line. Asbury has not offered to provide free transfers so that the riders could use the San Fernando Road services without paying an extra local fare.

Asbury has given the Commission no evidence concerning its over-all results of operation or its financial picture. There is, therefore, nothing in the record to show that the continuation of this needed service (see Exhibits Nos. 6 and 7 for passengers served) will be sufficiently detrimental to the applicant to jeopardize its existence. This Commission recognizes the fact that many carriers which undertake to serve a large area, as this applicant does, must, in order to adequately serve the public, operate some lines at a loss. Asbury's request for authority to abandon service will, therefore, be denied at this time. If in the future Asbury sees fit to present to this Commission its over-all picture, and such picture shows that the operation of the service in question is jeopardizing Asbury's over-all operations, a new application may be filed. We are of the opinion that applicant would be well advised to formulate some plan of issuing transfers between its various lines whereby no fare increase would result for service to and from Los Angeles if the Victory Boulevard services were abandoned. In

the meantime, Asbury is directed to not curtail service on its V-Route without express authority from this Commission.

As we are denying Asbury's request for authority to abandon service and Metropolitan's restrictions are being revised to comply with the requests of the City of Glendale, the latter's complaint will be dismissed.

Concerning Metropolitan's request for authority to remove restrictions (2) and (3) referred to above, the evidence shows that they were imposed for the purpose of protecting various lines of Asbury. Asbury's representative and Metropolitan's representative (Metropolitan has authority from this Commission to acquire Asbury's stock) agreed that these restrictions be removed.

The Commission having fully considered the matter is of the opinion and finds that the removal of restrictions (2) and (3) on Route No. 86 as set forth in Decision No. 48882 is not adverse to the public interest, and will be authorized.

O R D E R

A public hearing having been held, evidence presented, the matter submitted, and the Commission having made the findings set forth in its order herein, and, based upon said findings,

IT IS HEREBY ORDERED:

(1) That the complaint of the City of Glendale in Case No. 5557 be and the same hereby is dismissed.

(2) That the description of Asbury Transit Lines' Los Angeles terminus, contained in Decision No. 40982 as amended by Decision No. 44783 and Decision No. 49274, is amended to read as follows:

Inbound:

From the intersection of New High Street, Spring Street and Sunset Boulevard, via Sunset Boulevard, Los Angeles Street and Eleventh Street to an on-street parking zone on Eleventh Street between Los Angeles Street and Main Street.

Outbound:

Via Eleventh Street, Main Street and Spring Street to the intersection of New High Street, Spring Street and Sunset Boulevard.

(3) That the route description of Asbury Transit Lines' St. Joseph's Hospital line contained in ordering paragraph 2 (b)(2) of the order of Decision No. 49947, dated April 20, 1954, in Application No. 30638 (Seventh Supplemental) is hereby amended to read as follows:

Commencing at the grounds of the St. Joseph's Hospital at Buena Vista Street, Buena Vista Street to Alameda Avenue, Alameda Avenue to Victory Boulevard, Victory Boulevard to Verdugo Avenue, Verdugo Avenue to San Fernando Road, San Fernando Road to intersection of Olive Avenue and San Fernando Road, and return via the reverse of the going route.

Applicant shall post plainly visible notices advising the public of the change in routing herein authorized at all stops used on the line above described and on all buses used thereon at least five days prior to said change in routing, and keep said notices continuously posted until the change is accomplished.

(4) That the service restrictions on Metropolitan Coach Lines' Route No. 86 contained in paragraph (4)(c) and page 21 of Appendix A, both in Decision No. 46471 dated November 27, 1951, in Application No. 32443, as amended by Decision No. 48882, dated July 28, 1953, in Application No. 34384, are amended to read as follows:

1. Passengers shall not be handled locally between the terminus of the line in Los Angeles and the intersection of

A-35528 SL
A-35573
C-5557

Riverside Drive and Hyperion Avenue, both points inclusive, including intermediate points.

2. Passengers, baggage, and express may not be received or discharged on Arroyo Seco Freeway (north Figueroa Street) between Riverside Drive and Alpine Street.

(5) That except as herein specifically granted, Application No. 35528 (Asbury) and Application No. 35573 (Metropolitan) are denied.

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

Dated at San Francisco, California, this 21st day of September, 1954.

John E. Madell
President

Justus J. Casares

Francis J. Potter

Gene Higgins

Commissioners

Ray E. Untereiner
Commissioner....., being necessarily absent, did not participate in the disposition of this proceeding.