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- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Application of )	
UTAH LIGHT & TRACTION COMPANY )	
for a )	
CERTIFICATE OF CONVENIENCE AND )	<u>Case No. 2363</u>
NECESSITY )	
to institute and operate a motor )	
bus transportation system on cer- )	
tain streets in Salt Lake City, )	<u>REPORT OF THE COMMISSION</u>
to discontinue street car service )	
now operated on said streets and )	
to abandon and remove its street )	
car tracks, poles and overhead )	
on certain streets therein. )	

Submitted: April 18, 1940

Issued: May 1, 1940

Appearances:

Calvin Behle, Attorney	for Utah Light & Traction Co.
E. L. Schoenhols	" General Public
John Berry	" " "
John Rice, Attorney	" State of Utah

By the Commission:

On the 2nd day of April, 1940, the above named applicant made application to this Commission for permission to institute and operate a motor bus transportation service on certain streets in Salt Lake City, to discontinue street car service now operated on said streets and to abandon and remove its street car tracks, poles and overhead on certain streets, as shown in the application,

The application was set for hearing at the office of the Commission, 311 State Capitol, at 10:00 o'clock a. m. on the 18th day of April, 1940. All interested parties were given due and legal notice thereof. *by publication in Salt Lake Tribune*

From the testimony adduced at said hearing, and from the record and files in this case, which are made a part hereof by reference, the Commission finds:

That the applicant is a corporation of the State of Utah,

with its principal place of business at Salt Lake City, Salt Lake County, Utah, (and operates a mass passenger transportation system in Salt Lake City and vicinity; that the assessed valuation of the electric street and interurban motor bus, and electric coach system so operated by applicant was, for 1939, in excess of \$1,200,000; that the applicant is possessed of the financial resources required for the purposes of this application.)

(5) (b) The transportation system operated by the applicant includes the following:

(a) Route No. 5 from the business district of Salt Lake City via First South Street east to Thirteenth East Street, and thence south on Thirteenth East Street to a terminus at Thirteenth East and Ninth South Streets.

(b) Route No. 8 from the business district of Salt Lake City via Fifth South Street to Seventh East Street and thence south on Seventh East Street to a terminus at Thirty-third South and Seventh East Streets.

(c) Route No. 10 from the business district of Salt Lake City via Second South Street to Tenth East Street, thence south on Tenth East Street to Fifth South Street, thence east on Fifth South Street to Eleventh East Street, and thence south on Eleventh East Street through Sugar House (Eleventh East and Twenty-first South Streets) and south on Highland Drive to the terminus at Thirty-third South and Highland Drive.

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no  
That at the present time the operations on said Routes 5 and 8 are electric street railway operations with the exception of Sundays and holidays and evenings after 7:00p. m., at which time motor busses are substituted.

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no  
That at the present time Route 10 is a motor bus operation supplemented by street car service in the rush hours operated from the business district of Salt Lake City on Fifth South Street

to Seventh East Street, thence south on Seventh East Street to Ninth South, thence east on Ninth South Street to Eleventh East Street, and thence south on Eleventh East Street to Sugar House.

That said Routes have been and now are operated on regular and frequent schedules filed with the Public Service Commission of Utah and in accordance with certificates of convenience and necessity and orders of the Commission with respect to the manner of operation, and franchises held by applicant from Salt Lake City.

That in recent years it has become economically desirable and necessary for the applicant to curtail its street railway operations and to substitute in lieu thereof motor busses. The applicant seeks in the present petition to discontinue the street railway service which is now being rendered on said Route 8 and during peak periods on Route 10, as above set forth, and desires to substitute in lieu of said services gasoline motor bus service on both of said routes on regular schedules to be filed with the Commission providing for a more frequent headway than under present street railway operations, sufficient to take care of the traffic. The applicant represents that the proposed motor bus service will, in addition to being more frequent be more efficient and modern. However, the applicant desires at the present time to retain its street car service on said Route 5.

Upon the termination of the electric street railway service on the lines hereinbefore set forth, the existing tracks, poles and overhead wiring on these lines will cease to be useful in service or necessary or convenient to the public in any way; that accordingly it is in the best public interest that applicant remove said street car tracks, poles and overhead wiring as soon as possible after discontinuance of their use, and that applicant cooperate with Salt Lake City Corporation in street improvements

in the territory affected; that applicant is financially able to undertake the expense of removing said street car tracks, poles and overhead wiring and incidental street repairs during 1940 on Eleventh East from Twenty-first South Street to Ninth South Street to Ninth South Street, on Ninth South Street between Eleventh East Street and Seventh East Street, and on Seventh East Street between Thirty-third South Street and Twenty-seventh South Street.

The changes proposed by the applicant herein are desirable to meet the needs and convenience of the public and in accordance with the program of said company in its transition from street car to bus service, and will not be in any way detrimental to the best interests of the people of Salt Lake City or the State of Utah.

The Commission had heretofore ordered that all street car service be discontinued in Salt Lake City on or before June 1, 1940. However, it appears to be economically impossible for the applicant to complete the transition by that date, and the Commission finds it necessary in the interest of the applicant and the public to modify its order to the extent that the applicant will be given until June 1, 1941, to complete the substitution of busses and the elimination of street cars from its system.

There is some complaint on the part of residents of the noise during the early morning hours because of the street cars on the East First South and 13th East line, which is the only remaining street car line operated by the applicant. Bus service can be substituted for street cars on that line until 7:00 a. m. and eliminate this inconvenience.

From the foregoing facts, the Commission concludes that the application herein should be granted as prayed.

An appropriate order will follow.

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UTAH LIGHT & TRACTION COMPANY )	
for a )	<u>Case No. 2363</u>
CERTIFICATE OF CONVENIENCE AND )	
NECESSITY )	
to institute and operate a motor )	<u>ORDER OF THE COMMISSION</u>
bus transportation system on cer- )	
tain streets in Salt Lake City, )	
to discontinue street car service )	<u>Certificate of Convenience and</u>
now operated on said streets and )	
to abandon and remove its street )	<u>Necessity No. 536</u>
car tracks, poles and overhead )	
on certain streets therein. )	

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This case being at issue upon application on file, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, and the Commission having, on the date hereof, made and filed a report containing its findings and conclusions, which report is hereby referred to and made a part hereof,

IT IS ORDERED, That the application of the Utah Light & Traction Company for permission to discontinue street car service and substitute motor bus transportation therefor, and to abandon and remove street car tracks, poles, and overhead, is granted, as follows:

To institute, maintain and operate gasoline motor bus service on its present Route 8 in lieu of electric street railway service now operated, on the following route, to-wit:

From a connection with Route 10 in the business district of Salt Lake City to Fifth South Street and Main Street; thence east on Fifth South Street to Seventh East Street; thence south on Seventh East Street to the terminus at Thirty-third South Street.

To discontinue electric street railway service as follows:

(a) Electric street railway service on said Route 8

from the business district of Salt Lake City south on Main Street to Fifth South Street; thence east on Fifth South Street to Seventh East Street; and thence south on Seventh East Street to the terminus at Thirty-third South Street.

(b) Rush hour street electric railway service supplementing Route 10 operating from the business district of Salt Lake City via Main Street to Fifth South Street; thence east on Fifth South Street to Seventh East Street; thence south on Seventh East Street to Ninth South Street; thence east on Ninth South Street to Eleventh East Street; and thence south on Eleventh East Street to Sugar House.

To abandon and remove the following street railway tracks, poles and overhead:

(a) On Eleventh East Street from Twenty-first South Street to Ninth South Street;

(b) On Ninth South Street from Eleventh East Street to Seventh East Street;

(c) On Seventh East Street from Thirty-third South Street to Twenty-seventh South Street.

IT IS FURTHER ORDERED, That on its Route No. 5, east on First South to 13th East and thence south on 13th East to 9th South, that motor bus service be used until 7:00 a. m.

IT IS FURTHER ORDERED, That the said applicant proceed with its program of transition from street car to bus service, which program shall be completed on or before June 1, 1941.

IT IS FURTHER ORDERED, That the applicant, the Utah Light & Traction Company, shall maintain on file with this Commission the insurance required by law, and a tariff showing rates, time schedules, and rules and regulations; and that it shall operate at all times in accordance with the statutes of the State of Utah, and the rules and regulations which now exist, or which

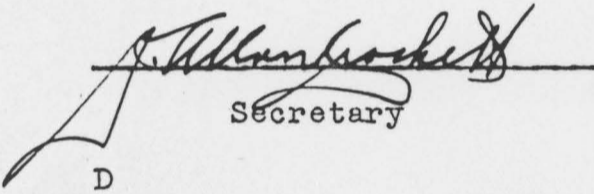
Case No. 2363

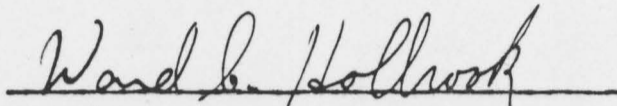
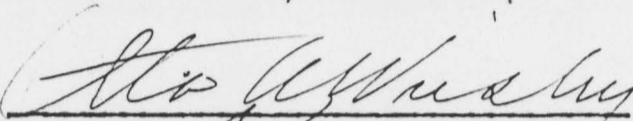
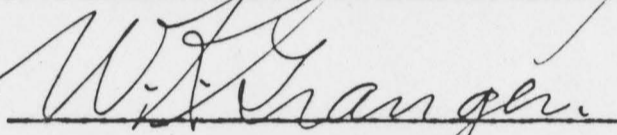
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may be prescribed by the Public Service Commission of Utah governing the operation of common motor carriers over the public highways of the State of Utah.

Dated at Salt Lake City, Utah, this 31st day of May, 1940.

Attest:

  
Secretary  
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Commissioners

Case 2363

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UTAH LIGHT AND TRACTION COMPANY	)	<u>Case No. 2363</u>
for a	)	<u>REPORT AND ORDER</u>
CERTIFICATE OF CONVENIENCE AND	)	<u>OF THE COMMISSION</u>
NECESSITY	)	
to institute and operate a motor	)	
bus transportation system on	)	
certain streets in Salt Lake City,	)	
to discontinue street car service	)	<u>Supplement to Certificate</u>
now operated on said streets, and to	)	<u>of Convenience and</u>
abandon and remove its street car	)	<u>Necessity No. 536.</u>
tracks, poles and overhead on certain	)	
streets therein.	)	

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By the Commission:

The Commission issued its report and order in the above-entitled matter on May 1, 1940, authorizing the applicant, inter alia, to discontinue its street railway service on Seventh East Street in Salt Lake City, and to remove its street railway track, poles and overhead on said Seventh East Street from Thirty-third South Street to Twenty-seventh South Street in Salt Lake City.

On June 29, 1940 the applicant filed a supplemental application in which it set forth that it has more finances available than originally planned for the removal of its track, poles and overhead, and that it now desires to extend the removal of track, poles and overhead all the way into Twenty-first South Street during the present year. This supplemental application is made for the purpose of securing the approval of the Commission on such removal.

The supplemental application presents the same issues and problems to the Commission as did the original application. The applicant has discontinued the use of street cars in the locality affected so the track, poles and overhead facilities are not serving any useful purpose; their removal will not adversely affect anyone so far as is known to this Commission. No one appeared to protest the original application, and it appears to be



necessary and to the public benefit that said facilities be removed from the streets as expeditiously as possible.

The Commission considers that no useful purpose could be served by further notice and hearing on this matter and therefore concludes that a supplemental order granting the extension sought should be issued without the formality of a hearing.

IT IS THEREFORE ORDERED, That the supplemental application of the Utah Light and Traction Company for permission to remove its street railway track, poles and overhead facilities on Seventh East Street from Twenty-seventh South to Twenty-first South Streets in Salt Lake City, is hereby granted.

IT IS FURTHER ORDERED, That such removal proceed as expeditiously and with as little hazard to the public as possible.

Dated at Salt Lake City, Utah, this 10<sup>th</sup> day of July, 1940.

Attest:

J. Allen Crockett  
Secretary

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Ward C. Pollock  
Chas. Wesley  
W. L. Langh.  
Commissioners