

Decision No. 13856

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the)
COUNTY OF LOS ANGELES, the CITY OF LOS)
ANGELES, THE ATCHISON, TOPEKA & SANTA FE)
RAILWAY COMPANY, the LOS ANGELES AND SALT)
LAKE RAILROAD COMPANY, the PACIFIC ELEC-)
TRIC RAILWAY COMPANY and the LOS ANGELES)
RAILWAY CORPORATION for a just and equit-)
able apportionment of the cost of the con-)
struction of six certain viaducts across)
the Los Angeles River, in the said City)
of Los Angeles at Macy, Aliso, First,)
Fourth, Seventh and Ninth Streets.)

ORIGINAL

Application No. 9671.

BY THE COMMISSION:

SECOND PRELIMINARY ORDER

In the above entitled proceeding the Commission is requested, among other things, to approve certain plans for a viaduct at Macy Street and to apportion the cost thereof among the interested parties. Hearings have been held and evidence introduced as to the type of structure to be constructed at this location and as to the apportionment of the cost thereof.

Detailed plans of the Macy Street viaduct have been filed in this proceeding as City of Los Angeles' Exhibit No. 12. It appears that all applicants agree upon these plans in so far as they pertain to that portion of the viaduct extending from the westerly bank of the River easterly to the west line of Mission Road, but do not agree as to the type of the west approach of the viaduct, nor as to the apportionment of cost of any portion of the structure. All interested parties have, however, joined in a request that, pending a decision of the Commission as to these disputed matters,

authority be given for the construction of that portion of this viaduct on which there is no disagreement as to plans, such authority to be without prejudice as to any findings later to be made by the Commission with respect to the disputed matters. It appears to the Commission that this request is just and reasonable and should be granted.

NOW THEREFORE, as a second preliminary order in this proceeding, and specifically reserving for further consideration in any future order or orders the subject of the approval of plans for the west approach of said Macy Street viaduct and the apportionment of the cost of this viaduct, both as to construction and maintenance, and all matters relative to the construction, maintenance and apportionment of cost of the other viaducts mentioned in the application herein,

IT IS HEREBY ORDERED that the plans and specifications shown on City of Los Angeles' Exhibits Nos. 12-A, 12-B, 12-C, 12-D, 12-E, 12-F and 12-G be and they are hereby approved in so far as they pertain to the main river span of the Macy Street viaduct and the easterly approach thereto; and

IT IS HEREBY FURTHER ORDERED that the County of Los Angeles, the City of Los Angeles, the Atchison, Topeka and Santa Fe Railway Company, the Los Angeles and Salt Lake Railroad Company and the Los Angeles Railway Corporation be and they are hereby directed to proceed with the construction of that portion of the Macy Street viaduct, the plans of which are hereinbefore approved; and

IT IS HEREBY FURTHER ORDERED that the interested parties may agree that one of them shall acquire the necessary lands, settle claims for damages and make contracts for the construction of that portion of the viaduct herein approved. Should they fail to agree

in this regard, such disagreement shall be reported to the Commission, whereupon an appropriate order will be entered.

The effective date of this order shall be three (3) days from and after the date hereof.

Dated at San Francisco, California, this 30th day of July, 1924.

H. A. ...

Egerton ...

J. T. Whittsey
Commissioners.