

Decision No. 17553

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation  
of safety and necessity of grade  
crossing at Santa Fe Avenue and of  
the tracks of the Los Angeles Rail-  
way Corporation across the tracks of  
Los Angeles and Salt Lake Railroad  
Company, and of The Atchison, Topeka  
and Santa Fe Railway Company at Butte  
Street, Los Angeles, California.

ORIGINAL

Case No. 2061.

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

Plans for the separation of grades at Butte Street and Santa Fe Avenue in the City of Los Angeles, together with a proposed division of cost of the project, and statements from the interested parties as to their approval or disapproval of the plans and proposed division of cost, were filed with the Commission on July 9th, 1926, by the Los Angeles and Salt Lake Railroad Company in compliance with this Commission's order in Decision No. 16018, dated February 20th, 1926. It appears that the proposed plans and division of cost are satisfactory to the Los Angeles and Salt Lake Railroad Company and to The Atchison, Topeka and Santa Fe Railway Company. Neither the plans nor the proposed division of cost were approved by the City of Los Angeles or by the Los Angeles Railway Corporation. The City of Los Angeles is not willing to agree to the plans because the location of the proposed Washington Street extension in the vicinity of Santa Fe Avenue has not definitely been fixed and the City requests an extension of six (6) months time within which to determine the location and grade of Washington Street at its intersection with Santa Fe Avenue and in which to develop plans for

the proposed grade separation. This request, which is concurred with by the carriers, appears reasonable and will be granted. The City should prepare such further or amended plans of said separation of grades as may be necessary when the location and grade of Washington Street at Santa Fe Avenue is determined and file same with this Commission and the interested carriers on or before June 30th, 1927.

There was filed with this Commission on July 9th, 1926, an application for modification of Decision No. 16018, by Pacific States Box and Basket Company, et al, owners of property in the vicinity of the proposed grade separation.

No appearances were entered on behalf of these parties at either of the two public hearings which were held before the issuance of the order in this proceeding or at the hearing set for argument for the purpose of determining whether or not a rehearing should be granted. Even though said parties had been entitled to petition for modification of the order in this proceeding, their petition was filed more than a year after the effective date of said order. It appears, therefore, that this petition has no legal standing before this Commission and it will accordingly be dismissed. It should be pointed out, however, that further hearings may be held in this proceeding in the matter of the division of cost of the proposed separation and in that event petitioners may appear and have the opportunity of making such representations as they desire with respect to any issues that may then be pending before the Commission in this proceeding.

S U P P L E M E N T A L  
O R D E R

IT IS HEREBY ORDERED that the City of Los Angeles file, not later than June 30th, 1927, with this Commission and with the interested carriers, a statement giving the location and grade of

Washington Street in the vicinity of Santa Fe Avenue, as determined by the city, together with such further or amended plans of said separation of grades at Butte Street and Santa Fe Avenue as may be necessary when the location and grade of Washington Street at Santa Fe Avenue is so determined.

IT IS HEREBY FURTHER ORDERED that the "Application for Modification of Decision No. 16018", filed on the 9th day of July, 1926, by the Pacific States Box and Basket Company et al, be and it is hereby dismissed.

In all other respects this Commission's Decision No. 16018, of February 20th, 1926, in this matter shall remain in full force and effect.

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

Dated at San Francisco, California, this 29<sup>th</sup> day of October, 1926.

H. B. Dudge

C. S. Sauer

Wm. W. Scott

Thos. J. Rott

Commissioners.