

Decision No. 18569.

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 & Salt Lake Railroad Company,
The Pacific Electric Railway Company
and the Los Angeles Railway Corpora-
tion for a just and equitable appor-
tionment of the cost of the construc-
tion 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.

Edward T. Bishop, County Counsel, by Roy
Dowds, Deputy County Counsel, for the
County of Los Angeles.

Jess E. Stephens, City Attorney, by Milton
Bryan and J. L. Rennow, Deputy City
Attorneys for City of Los Angeles.

E. W. Camp, for The Atchison, Topeka and
Santa Fe Railway Company.

A. S. Halsted, for Los Angeles and Salt
Lake Railroad Company.

S. M. Haskins, for the Los Angeles Rail-
way Corporation.

Frank Kerr, for Pacific Electric Railway
Company.

SENVEY, COMMISSIONER:

FIFTH PRELIMINARY ORDER

Hearing on the above entitled proceeding, with respect
to the viaduct to be constructed at First Street, was held in Los
Angeles on June 29th, 1927, at which time the matter was submitted
with respect to this viaduct. Evidence was introduced as to the
type of structure and as to the apportionment of the cost thereof.

Detailed plans of the First Street viaduct have been filed in this proceeding as City of Los Angeles' Exhibit No. 18, Sheets 1 to 34, inclusive. It appears that all applicants agree upon these plans as satisfactory and the Engineering Department of the Commission has recommended that they be approved.

The City of Los Angeles has requested that the plans be approved and that the City be authorized to proceed with the construction of the viaduct, said authorization to be without prejudice as to any findings to be made later by the Commission, with respect to apportionment of cost, permanent clearances on the Santa Fe passenger tracks or any matters which may be subject to dispute between the parties. The interested parties have signified their willingness to have such an order issued and it appears to the Commission that the request is reasonable and should be granted.

Considerable testimony was introduced with respect to the rerouting of Los Angeles Railway Corporation cars during the construction of the viaduct and the preponderance of evidence is in favor of rerouting via Macy Street, as proposed by the company.

It further appears from the testimony offered in this proceeding that the location, elevation and arrangement of Santa Fe tracks south of the viaduct cannot be definitely settled at this time and that company is anxious to retain its passenger tracks with impaired clearance under the viaduct until the ultimate arrangement of their tracks is decided upon. It appears, under the circumstances, that this request should also be granted.

NOW THEREFORE, as a fifth preliminary order in this proceeding, and specifically reserving for further consideration in any order or orders the subject of final clearances with respect to the Santa Fe tracks with said viaduct, the apportionment of cost of this viaduct, both as to construction and maintenance, and

all matters relative to the construction, maintenance and apportionment of cost of the viaducts yet remaining to be constructed in this proceeding,

IT IS HEREBY ORDERED that the plans and specifications shown on City of Los Angeles' Exhibits No. 18 (Sheets 1 to 34, inclusive) and No. 18a, be and they are hereby approved, and

IT IS HEREBY FURTHER ORDERED that during the construction of said viaduct the Los Angeles Railway Corporation may route its First Street Line ("F" cars) via Macy Street and its Spring Street Line ("L" cars) via First to First and Vignes Street and to install such other service and connections as proposed and shown on Los Angeles Railway Corporation's Exhibit No. 11:

IT IS HEREBY FURTHER ORDERED that The Atchison, Topeka and Santa Fe Railway Company be and it is hereby authorized to maintain its passenger tracks under the new First Street viaduct with present clearances until otherwise ordered by this Commission, provided, however, that warning signs of said impaired clearances be posted on each side of said viaduct and provided, further, that said signs be made visible at night by proper electric lights.

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 the First 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 a 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 2nd day of July, 1927.

E. W. D. Scott

H. W. Brundage

A. Leary

Thos. S. Powell