

Decision No. 18924.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the Matter of the Application of City of Long Beach, a municipal corporation, for the construction of a crossing, at grade, over the tracks of the Pacific Electric Railway Company, by a public street, in the City of Long Beach, County of Los Angeles, State of California.

Application No. 13561.

Bruce Mason, City Attorney, for Applicant.

C. W. Cornell, Attorney, for Pacific Electric Railway Company, Protestant.

BY THE COMMISSION:

O P I N I O N

In the above entitled application, the City of Long Beach seeks authority to construct Spring Street at grade across the tracks of the Pacific Electric Railway Company's Long Beach Line, in said City of Long Beach, California.

At a public hearing held in this matter before Commissioner Brundige at Long Beach, on June 1st, 1927, the matter was taken under submission.

The railroad affected is a double-track line which runs in a northwesterly and southeasterly direction. The normal daily service on this line approximates 134 passenger trains of the Long Beach and Newport Beach Lines, at speeds up to 60 miles per hour, and 18 freight trains with maximum speeds of about 35 miles per hour. The number of passengers carried over this line averages over 10,000 daily.

Spring Street runs in an easterly and westerly direc-

tion and has a length of more than eight and one-half miles in Los Angeles County but its continuity is broken by unopened sections over the Los Angeles County Flood Control Channel, the Pacific Electric Railway Company tracks involved herein, the Union Pacific tracks and certain private property on Signal Hill. It also extends into Orange County. It was stated that the Los Angeles County Regional Planning Commission favors this street as a through route from Orange County to the harbor. This plan contemplates a subway at the crossing now sought, but such a subway cannot reasonably be constructed for at least two or three years as it first will be necessary to complete a drainage system for this district. Applicant urges that this crossing is necessary to accommodate traffic to and from an industry located on Spring Street just west of Pacific Electric tracks and it appears that this traffic would constitute the greater portion of the vehicular traffic that would use this crossing in the near future. The record shows that traffic to and from this plant amounts to approximately two trucks per hour during the day, including shipments to and from Los Angeles via Long Beach Boulevard and to and from Long Beach Harbor via Pacific Avenue, the major part of the travel, however, being between this plant and Long Beach Harbor. There is an existing crossing approximately one-half mile to the south of the crossing herein proposed, which affords access to the industry for the residential district to the east of the railroad. For access to Long Beach and the Harbor, to which this territory west of the railroad naturally is tributary, the proposed crossing is not involved, as the more direct route is south rather than east across the railroad. The testimony shows, however, that the streets to the south of this district are not improved so as to attract traffic.

Complaint was made that the poor condition of the nearby streets, including Pacific Avenue, created a serious hardship for traffic to and from the industry mentioned above. The proposed crossing would save about one and one-quarter ($1\frac{1}{4}$) miles of travel for hauls between the industry and Los Angeles, but would not afford a shorter route for the Harbor hauls.

The evidence further shows that the proposed crossing is desired to stimulate the development of a residential district west of the tracks and adjacent to Spring Street.

Applicant suggests that this crossing be protected by an automatic flagman until a separation of the grades is effected. One of the Commission's engineers testified that by reason of the present high speed train operation and potential danger to passengers on trains, in case there were collisions, with trucks, it was his opinion that the proposed grade crossing, if constructed, should be protected by imposing a speed restriction of twenty (20) miles per hour over the crossing on all Pacific Electric trains operating, in addition to the automatic flagman proposed by applicant.

Pacific Electric Railway, protestant, urged that no crossing be authorized at grade at this point, on the ground that public necessity at this time did not justify the expense, hazard and interference to operation that would be incident to such a grade crossing but considered that when Spring Street has been improved into a through east and west highway artery, it then will be a highway of sufficient importance to justify a grade separation. The Company urged that there are now under consideration five proposed new or reconstruction of grade separations on this line within two miles of the one proposed herein, the expense of which, unless spread over a period of years, will place an undue financial burden on Pacific Electric Railway.

It appears that while undoubtedly there will be some convenience to the industry mentioned, resulting from the opening of this crossing, there also will result a considerable hazard and inconvenience to the railroad and the traveling public using same. To reduce the speed of trains to 20 miles per hour, as suggested by the Commission's engineers in the interest of safety, would constitute some delay to more than 10,000 passengers who use the line daily. Furthermore, it appears that in spite of the speed restriction mentioned and the installation of an automatic flagman, considerable hazard still would remain at this crossing, if constructed.

A grade separation at this location would, of course, remove all the objection of hazard and inconvenience, resulting from the installation of a grade crossing. From the evidence and from the statements of both parties to this proceeding, it is apparent, however, that the installation of a grade separation is not warranted at this time and that permission to construct a new grade crossing must be either granted or denied.

Following careful consideration of the facts in this proceeding, it is concluded that the public convenience resulting from the opening of the proposed crossing would not offset the hazard thus created and the inconvenience to rail passengers and to the operation of the line. Therefore, it appears that this application should be denied.

O R D E R

The City of Long Beach, having made application for permission to construct Spring Street across the Long Beach Line of

the Pacific Electric Railway Company in the City of Long Beach, California, a public hearing having been held on this application, the Commission being apprised of the facts, the matter being under submission and ready for decision, therefore

IT IS HEREBY ORDERED that this application be and the same is hereby denied.

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

Dated at San Francisco, California, this 14th day of October, 1927.

Ernest L. East
W. J. Kearney
Leon Whitwell
Thos. J. Rourke
M. J. Carr
Commissioners.