

Decision No. 21160.

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 Corporation, for a just and equitable apportionment of the cost of the construction 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.

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. Ronnow,
Deputy City Attorneys, for the
City of Los Angeles.

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

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

S. M. Haskins, for the Los Angeles
Railway Corporation.

Frank Karr, for Pacific Electric
Railway Company.

BY THE COMMISSION:

P R E L I M I N A R Y O R D E R

The City of Los Angeles filed with the Commission, on May 22, 1929, a set of plans of the proposed viaduct at Fourth Street over the tracks of the Los Angeles and Salt Lake Railroad,

the tracks of The Atchison, Topeka and Santa Fe Railway Company, and the Los Angeles River, together with a certified copy of a letter from the County of Los Angeles, The Atchison, Topeka and Santa Fe Railway Company, Los Angeles and Salt Lake Railroad, and Los Angeles Railway, respectively, applicants interested in this viaduct, approving said plans. The Engineering Department of the Commission has recommended that said plans be approved.

It appears to this Commission that the construction of the Fourth Street viaduct in substantial accordance with the plans filed with this Commission should be authorized and the plans approved, reserving for further consideration by subsequent order or orders the apportionment of cost of said viaduct and all matters relative thereto and relative to the construction, maintenance and apportionment of cost of the viaduct at Aliso Street yet remaining to be constructed in this proceeding, therefore,

IT IS HEREBY ORDERED that the City of Los Angeles, County of Los Angeles, Los Angeles and Salt Lake Railroad, The Atchison, Topeka and Santa Fe Railway Company and Los Angeles Railway be and they are hereby authorized to construct Fourth Street in the City of Los Angeles, State of California, at separated grades above and across the tracks of Los Angeles and Salt Lake Railroad, the tracks of The Atchison, Topeka and Santa Fe Railway Company and the Los Angeles River substantially in accordance with plans filed with this Commission and that said plans are hereby approved.

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 crossing at separated grades herein authorized. Should they fail to agree in this regard, such disagreement shall

be reported to this Commission, whereupon an appropriate order will be entered.

IT IS HEREBY FURTHER ORDERED that this order be and it is hereby subject to the following conditions:

(1) The crossings at separated grades herein authorized shall be constructed with clearances conforming with General Order No. 26-C of this Commission.

(2) The Commission reserves the right to make such further orders relative to the construction, operation, maintenance and cost of said crossings as to it may seem right and proper.

For all other purposes the effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 27th day of May, 1929.

David S. Hottel

C. C. Sawyer

Leon White

M. J. Carr

Commissioners.