

ORIGINAL

Decision No. 24030.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 LOS ANGELES & SALT LAKE RAILROAD COM-
 PANY, a corporation, for Authority,
 under the Provisions of Section 43 of
 the Public Utilities Act, to Construct
 and thereafter to Maintain and Operate
 a double track line of Railroad from
 a connection with its San Pedro Branch
 at Engineer's Station 768+00.37 on
 said Branch, thence in a general south-
 westerly direction over, along and
 across certain public highways in the
 Cities of Los Angeles and Long Beach
 and the County of Los Angeles and the
 Lines of Railroad of the Pacific Elec-
 tric Railway Company and the Southern
 Pacific Company, and terminating south-
 erly at a connection with its existing
 line of Railroad in the vicinity of a
 viaduct on Anaheim Street constructed
 over Dominguez Drainage Channel in the
 City of Los Angeles.

Application No. 17370.

A. S. Halsted, Malcolm Davis and E. E. Bennett, for Applicant.

Beach Vasey, Deputy City Attorney, for the City of Long Beach.

Frank Karr and R. E. Wedekind, for Southern Pacific Company and Pacific Electric Railway Company.

John R. Berryman, Jr., for Los Angeles County Grade Crossing Committee.

BY THE COMMISSION:

O P I N I O N

The above entitled application was filed by the Los Angeles and Salt Lake Railroad Company for authority to relocate that portion of its San Pedro harbor branch through the business section of the City of Long Beach by constructing a double track

main line railroad from a connection with the existing line at a point approximately 1,500 feet south of Rioco Station, in the County of Los Angeles, thence in a general southwesterly direction to another connection with the line in the vicinity of the Anaheim Street viaduct over the Dominguez Drainage Channel in the City of Los Angeles.

A public hearing on this application was conducted before Examiner Kennedy at Los Angeles on August 14th, 1931, at which time the matter was duly submitted.

The proposed line will replace that portion of applicant's San Pedro Branch which passes through the City of Long Beach on California Avenue, Alamitos Avenue and Ocean Avenue. Ocean Avenue is one of the principal business streets of Long Beach and present traffic conditions make the existence of a steam railroad thereon very objectionable.

The Commission, by its Decision No. 14059, dated September 15th, 1924, on Application No. 9694, granted to the Los Angeles and Salt Lake Railroad Company permission to construct its so-called Long Beach cut-off line from a point approximately one-half mile north of Burnett Station, southerly to a connection with its existing San Pedro Branch near the Badger Avenue drawbridge, crossing the channel between the Los Angeles and Long Beach harbors. The company did not proceed with this construction and a new cutoff line is now proposed, as shown in the instant application, which is 7.58 miles in length and estimated to cost approximately \$2,000,000.

The line passes through sections of the Cities of Los Angeles and Long Beach, as well as a portion of the unincorporated section of Los Angeles County, crossing various streets and roads. The proposed plan provides for the construction of two grade separations in the City of Long Beach and four grade separations in the

County of Los Angeles, the details being set forth in the following table:

GRADE SEPARATIONS

Political Subdivision	Street	Type of Structure	Width		Estimated Cost
			Roadway	Side-walks	
City of Long Beach	Long Beach Blvd.	97' Thr. Pl. Girder	70'	2-7'	\$ 39,340.
"	"	Willow St.	92.5'	"	55,590.
Co. of Los Angeles	Cherry Ave.	94.75' " "	60'	2-7'	43,110.
"	"	Orange Ave.	84.5'	"	51,300.
"	"	Atlantic Ave.	100'	"	113,950.
"	"	Perris Road	2-73.17' Deck Pl.	2-30' 2-7'	97,920.

It is proposed to cross Carson and Wilmington Streets, in the County of Los Angeles, at grade. The record shows that these streets are not of major importance, carrying only a moderate vehicular traffic, and that automatic protective devices should afford ample protection at these locations.

It also is proposed to close a number of unimportant streets at the point where the rail line will cross in the Cities of Long Beach and Los Angeles, as well as in the county, these streets being as follows:

In the City of Long Beach:

Jackson Street, Rose Avenue, Peace Street, Elm Avenue, 49th Street, Locust Avenue, 48th Street, Ruth Avenue, Virginia Avenue, alley between Chrisham Avenue and Ruth Avenue, alley between Ruth Avenue and Virginia Avenue, alley between Virginia Avenue and Pacific Avenue, Pacific Avenue, Spring Street, Canton Street, 29th Street, Columbia Street, Hill Street and Hobson Avenue.

In the County of Los Angeles:

Dominguez Street, Cameron Street, Lincoln Street and Arlington Street.

In the City of Los Angeles:

Hobson Avenue and Electric Avenue.

Mr. H. F. Holley, Assistant Chief Engineer of the Automobile Club of Southern California, testified in behalf of the Los Angeles County Grade Crossing Committee relative to the necessity

for grade separations at various points along the proposed line, in connection with studies for the future opening of major traffic arteries, namely, Los Angeles Street, Pacific Avenue, Pico Street and State Street. Mr. Holley was of the opinion that steps should be taken to procure, at this time, any necessary property or easements that will be needed in connection with future grade separations at the above mentioned points. The record shows that no definite plans have been formulated as yet for the construction of these major traffic arteries. While it is advisable to look ahead and provide for the necessary property in advance of development, the Commission has no definite information before it as to where and when these extensions will be effected; therefore, no action along this line can be taken with the record before us.

With respect to the proposed crossing over the tracks of Pacific Electric Railway Company, the record shows that there are 128 scheduled passenger trains being operated daily over the electric line at the location where it is proposed to install the crossing. From this evidence, it appears that public convenience and necessity require that such trains be not delayed by the operation of the freight trains of the applicant over the proposed crossing.

The applicant concedes the necessity of providing means whereby the passenger traffic of Pacific Electric Railway Company will not be delayed at this crossing and, for that reason, signifies its willingness to protect the said crossing by means of a manually operated interlocking plant.

Applicant proposes to abandon and remove that portion of its San Pedro Branch in the City of Long Beach from the intersection of 23rd and California Streets to a point near the intersection of Mendocino Street and Ocean Avenue, a distance of 4.17 miles, thereby eliminating sixty-one grade crossings and the operation of trains through the business section of the city.

Counsel for applicant advised that it was his opinion that franchises for the new line were necessary in the Cities of Long Beach and Los Angeles but not in the County of Los Angeles. Applicant has filed its request with both cities for a franchise to cross the respective streets but as yet no action has been taken by either city.

The City of Long Beach appeared in behalf of applicant, favoring the granting of this application. Both the City of Los Angeles and the County of Los Angeles were given notice of the hearing but neither entered an appearance. No opposition to the granting of the application was developed at the hearing.

After carefully considering all the evidence in this proceeding, we are of the opinion and hereby conclude that public convenience and necessity will be subserved by the construction of this proposed cut-off line.

O R D E R

The above entitled application having been filed, a public hearing having been held and the Commission being fully apprised of the facts,

IT IS HEREBY ORDERED that the Los Angeles and Salt Lake Railroad Company is hereby authorized to construct a double track main line:

I. At separated grades over Long Beach Boulevard and Willow Street, in the City of Long Beach, and Cherry Avenue, Orange Avenue, Atlantic Avenue and Perris Road (Santa Fe Avenue), in the County of Los Angeles, at the locations more particularly described in the application and as shown by the maps and profiles (Exhibits Nos. 1, 2 and 3) introduced in evidence in this proceeding, subject

to the following conditions:

- (1) The above crossings shall be identified as follows:

Cherry Avenue	Crossing No.	3A-14.91-B
Orange Avenue	" "	3A-15.50-B
Atlantic Avenue	" "	3A-15.99-B
Long Beach Boulevard	" "	3A-16.47-B
Perris Road	" "	3A-18.33-B
Willow Street	" "	3A-20.01-B

- (2) The entire expense of constructing the crossings shall be borne by applicant. The cost of maintaining said crossings in good and first-class condition for the safe and convenient use of the public shall be borne in accordance with an agreement to be hereafter entered into by the interested parties, a certified copy of which is to be filed within one hundred eighty (180) days after the date hereof and subject to the Commission's approval. Should said agreement not be filed within the above designated time, and further time be not granted by subsequent order, said costs will be apportioned by supplemental order herein.
- (3) Applicant shall file, prior to the commencement of construction, plans showing the proposed separations in plan and elevation, including widths of passageways, grades of approach, clearances and plans for drainage and lighting, which plans shall have the approval of the interested parties, and be subject to the Commission's approval.
- (4) Said crossings shall be constructed with clearances conforming to the provisions of our General Order No. 26-C.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings and of its compliance with the conditions hereof.

II. At grade across Carson Street and Wilmington Street, in the County of Los Angeles, at the locations more particularly described in the application and as shown on the maps and profiles (Exhibits Nos. 1, 2 and 3) introduced in evidence in this proceeding, subject to the following conditions:

- (1) The above crossings shall be identified as follows:

Carson Street	Crossing No.	3A-18.05
Wilmington Street	Crossing No.	3A-18.61

- (2) The entire expense of constructing and thereafter maintaining the crossings in good and first-class condition, for safe and convenient use of the public, shall be borne by applicant.

- (3) Said crossings Nos. 3A-18.05 and 3A-18.61 shall be constructed equal or superior to the types shown as Standards Nos. 3 and 2, respectively, in our General Order No. 72, and shall be constructed of a width to conform to those portions of said streets now graded, with the tops of rails flush with the pavement and with grades of approach not exceeding four (4) per cent.
- (4) Two Standard No. 3 wigwags, as specified in General Order No. 75 of this Commission, shall be installed and maintained for the protection of each of said crossings. The cost of installing and thereafter maintaining said wigwags shall be borne by applicant.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings, and of its compliance with the conditions hereof.

IT IS HEREBY FURTHER ORDERED that the Los Angeles and Salt Lake Railroad Company shall file with this Commission, before the construction is commenced at the respective crossings, a certified copy of any and all franchises granted by the Cities of Long Beach and Los Angeles, authorizing applicant to cross the public highways involved herein.

IT IS HEREBY FURTHER ORDERED that the Los Angeles and Salt Lake Railroad Company is hereby authorized to construct its double track at grade across the tracks of Pacific Electric Railway Company southerly of the intersection of said line of railroad and Dominguez Street, County of Los Angeles, State of California, at the location more particularly described in the application and as shown by the profile, marked "Exhibit F," attached thereto, subject to the following conditions:

- (1) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition shall be borne by applicant.
- (2) Applicant shall install, at its own expense, for the protection of said crossing, a manually operated interlocking plant in conformity with the provisions of the Commission's General Order No. 33-A, and shall submit plans for said interlocking plant to this Commission, for approval,

within ninety (90) days after the effective date of this order.

- (3) The entire expense of operating and maintaining said interlocking plant shall be borne equally by the Los Angeles and Salt Lake Railroad Company and Pacific Electric Railway Company.

The authorization herein granted shall lapse and become void if not exercised within two (2) years from the date hereof, unless further time is granted by subsequent order.

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

The Commission reserves the right to make such further orders, relative to the location, construction, operation, maintenance and protection of the crossings authorized herein, as to it may seem right and proper and to revoke its permission if, in its judgment, public convenience and necessity demand such action.

Dated at San Francisco, California, this 14th day of September, 1931.

CC Seamy

Leon Whiskey

W. H. Lee

W. B. Harris

Fred G. Stewart

Commissioners.