

Decision No. 36017

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
LOS ANGELES & SALT LAKE RAILROAD
COMPANY and its lessee, UNION PACIFIC
RAILROAD COMPANY, for an order direct-
ing the physical closing of crossings
at Grade of Cucumonga Avenue, California
Street, Baker Avenue and Township Line
Road over the tracks of applicants in
the County of San Bernardino, California.)

ORIGINAL

Application No. 25179

MALCOLM DAVIS, for applicant.

DONALD S. GILLESPIE, Deputy District Attorney
of San Bernardino County, protestant.

HOWARD F. CHRISTENSON, for California Railroad
Commission.

BY THE COMMISSION:

O P I N I O N

Los Angeles & Salt Lake Railroad Company and its lessee,
Union Pacific Railroad Company, have applied for an order direct-
ing the physical closing of crossings at grade of Cucumonga
Avenue, California Street, Baker Avenue and Township Line Road
over the tracks of applicants in San Bernardino County,
California.

A public hearing was held before Examiner Gannon at
San Bernardino on October 22, 1942 at the conclusion of which
the matter was submitted.

The application alleges that public convenience and
necessity require the closing of said crossings because they
constitute a hazard to the flow of troop movements and defense
materials along said railroad tracks and across said grade
crossings as well as to pedestrian and vehicular traffic.

The office engineer of Union Pacific Railroad Company testified in substance as follows as to the physical conditions existing at the four crossings:

Cucamonga Avenue - Very steep approaches from north and south; south approach to rails has grade of 15 per cent and north approach 12 per cent; danger of vehicles stalling on tracks; speed of passenger trains is 30 miles per hour and of freight trains 20 miles.

California Street - Crossing at very acute angle; view from east is obstructed by building; no need for crossing since adjacent Grove Street affords right-angle crossing, well paved; speed of passenger trains, 45 miles per hour, of freight trains 25 to 30 miles per hour; heavy pedestrian and vehicular traffic.

Baker Avenue - No reason for crossing to remain open, since it is not used, and is now barricaded by sand-bags.

Township Line Road - The crossing is at an acute angle; there is another and safer crossing short distance easterly; passenger trains attain a speed of 85 to 90 miles here, and freight trains 45 miles.

The protest of San Bernardino County to the closing of the crossings above described goes only to the permanency of such closing. In fact, the County Board of Supervisors passed a resolution agreeing to a temporary closing, or for the duration of the war. In no event would the county request a re-opening of the Baker Avenue crossing.

A review of the record leads us to conclude that public convenience and necessity will be best served by physical closing of the crossings hereinabove described, and the order will so provide.

O R D E R

IT IS HEREBY ORDERED that Los Angeles & Salt Lake Railroad Company and its lessee Union Pacific Railroad Company are authorized to effectively close, until further order of this Commission, the existing public grade crossings of applicants at Cucumonga Avenue (3-38.8), California Street (3-39.1), Baker Avenue (3-39.8) and Township Line Road (3-43.2) in the city of Ontario, County of Los Angeles, California.

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

Dated at San Francisco, California, this 15th day of December, 1942.

Justus J. Queen
M. J. Baker
Francis R. Havens
Richard R. Kach
COMMISSIONERS