

ORIGINAL

Decision No. 40121

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of the COUNTY OF GLENN for an order)	Application
to establish a crossing over a rail-)	No. 27845
road in Glenn County, California.)	

CLYDE H. LARIMER, for Applicant

R. S. MYERS, for Southern Pacific Company, Protestant

O P I N I O N

In this proceeding the County of Glenn asks for the reopening of a crossing at grade over tracks of Southern Pacific Company approximately one and one-half miles south of the town of Artois and about five miles north of the town of Willows. (1) Between Willows and Artois the main line of Southern Pacific Company runs in a north and south direction. Adjacent to the west side of the railroad's right of way is the State Highway (U.S. 99-W) which runs the full length of the west side of the Sacramento Valley from near Davis to Artois and points north.

The crossing involved is on County Road No. 37 between Sections 9, 10, 15 and 16 of Township 20 North, Range 3 West, M.D.M. One mile south thereof County Road No. 39 crosses the railroad at grade and runs from a point about three miles west thereof in an easterly direction to the Sacramento River. A short distance immediately east of the railroad, Road No. 39 runs in a northwesterly direction parallel to a creek and connects into a short County road one mile in length on the east side of the railroad right of way which runs between Road No. 37 and Road No. 39.

(1) A public hearing was held in Willows on March 7, 1947, at which time the matter was submitted.

The crossing of Road No. 37 was in existence for a good many years; however, the Commission's Decision No. 39220, in Application No. 27471 filed by Southern Pacific Company, authorized the closing of this crossing. This application included a resolution from the Board of Supervisors advising that they were agreeable to the closing. Subsequent to the physical closing of the crossing the County made the instant application requesting that the crossing be reopened.

It is now the County's position that the crossing is necessary for the free flow of highway vehicles, various types of agricultural implements, and animals.

It was contended that without the use of the proposed crossing sheep would require to be trailed a minimum of two additional miles and in some instances several miles. Furthermore, the movement of grain by trucks in the fall from the area immediately east of the proposed crossing would require an additional two-mile haul for each truckload of grain moving to the grain elevators in Artois.

The Fire Department of the Artois district is located at Artois on the west side of the railroad and contended that if the crossing of Road No. 39 is used to reach a fire in the area west of the proposed crossing a delay occurs in reaching the fire.

Southern Pacific Company objected to reopening this crossing on the grounds that additional hazards would accrue and that the crossing of Road No. 39 was sufficient to handle all the traffic involved. No traffic checks were made to develop the volume of traffic over either the proposed crossing or the crossing of Road No. 39, but the testimony indicates quite clearly that the traffic on both these roads is relatively light.

Southern Pacific Company operates eight (8) scheduled passenger trains daily and seven (7) regular freight trains, as well as three (3) local freight trains each day. Through

this area passenger trains have an allowable speed of 70 miles per hour and freight trains 50 miles per hour.

The record indicates that Southern Pacific Company, within a year, will inaugurate the operation of an additional passenger train to be known as the "Shasta Daylight" which is scheduled to have a maximum speed through this territory of 95 miles per hour.

The testimony indicates that vehicular travel over the proposed crossing would be relatively light except possibly during the grain moving season.

Throughout the entire length of Glenn County (as shown by Exhibit No. 1) this one mile of road east of the railroad is the only location where there is a parallel road east of the tracks. In other portions of the county the crossings are quite consistently two miles or more apart.

Reviewing the evidence in this proceeding and taking into due consideration the amount and kind of traffic involved, it is concluded that one crossing is sufficient in this territory. The evidence shows clearly that the crossing of Road No. 39 is essential and must remain open as that road is a so-called through east and west route through the county, whereas the road connecting with the proposed crossing only runs for a short distance east of the crossing and deadends at the State highway.

Due to the fact that there is a parallel road on the east side of the highway connecting Road No. 37 and Road No. 39, we are convinced that public convenience, necessity, and hazard do not warrant the reopening of the crossing herein applied for, and the application will therefore be denied.

O R D E R

A public hearing having been held and the matter being under submission;

IT IS HEREBY ORDERED that Application No. 27845 be and it

is hereby denied.

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

Dated at San Francisco California, this 1st day of April, 1947.

Harold P. Hub
Justice J. Quisenberry
Justice L. L. Luce
A. J. ...
Fernando ...
Commissioners