

Decision No. 40225

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the)
CITY OF MT. SHASTA for a street crossing)
over the railroad track of the Southern)
Pacific Railroad Company.)

Application No. 28226

ORIGINAL

L. N. LORENZEN, City Attorney, for Applicant
J. EVERETT BARR, for A. G. EDSON, Protestant
J. R. WEEKS, for SOUTHERN PACIFIC COMPANY, Interested party.

OPINION

Southern Pacific Company's main line between San Francisco, California, and Portland, Oregon, traverses through Mount Shasta City, Siskiyou County, in a general north and south direction and is crossed by two city streets, viz., Alma Street (Crossing No. C-336.7) and Ivy Street (Crossing No. C-336.9), approximately 1,000 feet apart.

In this application it is proposed to construct an extension of Lake Street at grade across the railroad approximately 900 feet south of the Alma Street crossing. (1)

The Alma Street crossing is used almost exclusively by residents traveling between the west and east sections of the city. The Ivy Street crossing is little used on account of the fact that it is in none too good condition with steep approach grades and very often blocked by trains taking water at the railroad water column 200 feet to the north thereof. The record shows that very often when the Ivy Street crossing is blocked, the Alma Street crossing is also blocked by trains.

Applicant proposes an extension of Lake Street over the railroad in order that there be an access between the areas east and west of the city when the two existing crossings are blocked by standing trains. A large portion of the residential section of the city is west of the railroad, while the fire department is

(1) A public hearing was held before Examiner Hall in Mount Shasta on September 11, 1947, at which time the matter was submitted.

housed on Lake Street about a block and a half east of the proposed crossing. When the two existing crossings are blocked it is necessary for the fire department to detour a distance of about 2½ miles via a county road crossing to reach the west portion of the city. The proposed crossing would give direct access to the west for the fire department.

Southern Pacific Company presented testimony to show that on September 9, 1947, 25 southbound trains and 16 northbound trains passed through Mount Shasta City, or a total of 41 trains in a 24-hour period. Further testimony indicated that the average daily train movement through Mount Shasta City was from 40 to 48 trains. The company did not oppose the granting of the application provided it was not assessed any of the cost pertaining thereto, and suggested that the Ivy Street crossing be closed when the new crossing is opened.

From the testimony there appeared to be divided opinion as to the necessity for the proposed crossing. Some of the residents testified that the crossing was not necessary while others testified that the crossing was necessary and would not object to the closing of the Ivy Street crossing.

The record shows that if the extension of Lake Street is constructed across the railroad at grade the crossing should be protected by flashing light automatic signals similar to those now in operation at the Alma Street crossing. (2) Applicant's representatives were agreeable to bearing the entire cost of installation of the crossing and signals. (3)

A review of the evidence indicates quite clearly that both the Ivy Street crossing and the Alma Street crossing are very often blocked by freight and passenger trains, particularly the Ivy Street crossing, and that most of these trains, when stopping at Mount Shasta City, would clear the proposed crossing.

(2) The Alma Street crossing is now protected by two Standard No. 8 flashing light signals (G.O. No. 75-B).

(3) The record indicates that the cost of building the crossing and installing the automatic signals, but not including the cost of right of way, would be approximately \$5,000, although no detailed estimate was made by either applicant or the railroad.

It is quite clear from the record that a more satisfactory and safe crossing could be built by the extension of Lake Street than the existing Ivy Street crossing, therefore it is concluded that the Lake Street crossing should be authorized provided it is protected by automatic flashing light signals and that the Ivy Street crossing is closed, and it will be so ordered.

ORDER

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

IT IS HEREBY ORDERED that authority be and it is hereby granted to the City of Mount Shasta, County of Siskiyou, to construct an extension of Lake Street at grade across the tracks of Southern Pacific Company at the location as shown by Exhibit "A" attached to the application and made a part thereof, subject to the following conditions:

- (1) The above crossing shall be identified as Crossing No. C-336.5.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two feet outside of the outside rails shall be borne by Southern Pacific Company.
- (3) The crossing shall be constructed of a width of not less than 40 feet and at an angle of approximately 90 degrees to the railroad, with grades of approach not greater than 4 per cent; shall be constructed equal or superior to that shown as Standard No. 2 in our General Order No. 72; and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Said crossing shall be protected by two Standard No. 8 flashing light signals (G.O. No. 75-B) and the cost of construction and installation of said signals shall be borne by applicant and maintained thereafter at the expense of Southern Pacific Company.
- (5) Prior to the beginning of actual construction of the crossing herein authorized, applicant shall file with this Commission a certified copy of an appropriate ordinance or resolution duly and regularly passed, instituting all necessary steps to legally abandon and effectively close the existing grade crossing of Ivy Street (Crossing No. C-336.9). Upon completion of the crossing herein authorized and upon its being opened to public use and travel, said Crossing No. C-336.9 shall be legally abandoned and effectively closed to public use and travel.

- (6) Applicant shall, within thirty days thereafter notify this Commission in writing of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (7) The authorization herein granted shall lapse and become void if not exercised within one year from the date hereof, unless further time is granted by subsequent order.

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

Dated at San Francisco, California, this 23rd day of September, 1947.

Harold J. Kula
Justice J. Wallace
John H. Wallace
R. F. Anderson
Harold Potter
Commissioners