

Decision No. 42189

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of Southern Pacific Company for an Order to abolish a crossing of a publicly used road by a railroad in the City of Los Angeles, County of Los Angeles, California.	} } } } }	Application No. 29636
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Randolph Karr for applicant.

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O P I N I O N

The above-numbered application, filed by Southern Pacific Company, seeks authority to abolish a publicly used crossing of Filmore Street at grade over its main line tracks in the City of Los Angeles near the station of Pacoima. A public hearing in the matter was held at Los Angeles on September 27, 1948. It was duly submitted and is now ready for determination.

Filmore Street is an unimproved street extending in a general easterly and westerly direction, and connecting San Fernando Road with other unimproved streets in the area to the east and west of the Southern Pacific tracks. San Fernando Road, which is one of the principal arteries of travel between Los Angeles and all points to the north via the so-called "Ridge Route", is parallel to the railroad and its center line is approximately 80 feet from the center line of the main track. The rail line involved is the main line of Southern Pacific Company between Los Angeles and San Francisco by way of San Joaquin Valley. There are 18 scheduled trains daily and these, in addition to extra movements, total approximately 25 trains daily. Eight of the above are regularly scheduled passenger trains, the remainder being freight. At the location under consideration there are two tracks, one of which is the main track, the other a passing track.

There is an ascending grade to the west of approximately one half per cent. There are no speed restrictions through the area and trains, particularly eastward movements, usually travel at high rates of speed.

The Filmore Street crossing serves two lumber yards in the immediate vicinity of the Southern Pacific right of way and the record indicates that these two industries could be well served by utilizing an existing crossing at Van Nuys Boulevard (Crossing No. B-463.4) located 1,443 feet to the south. The Van Nuys Boulevard crossing is improved with a 30-foot concrete pavement and is protected by an automatic wigwag signal. In addition there are traffic signals at the intersection of Van Nuys Boulevard and San Fernando Road which are synchronized with rail movements so that, on the approach of a train, a stop indication is given to vehicles approaching the tracks. Adequate illumination is provided at night by a sodium vapor light installed immediately to the east of the crossing.

Exhibit No. 2 introduced in evidence is a copy of a letter from the Los Angeles city engineer to the Southern Pacific Company under date of May 5, 1948, indicating that his office had given consideration to the dedication and improvement of a number of private crossings over this line of railroad between the City of San Fernando and the City of Burbank; that the Filmore Street crossing was one of those considered and that its proposed dedication and improvement as a public crossing was opposed by the city engineer's office. This letter also indicated that the city engineer's office is, in general, opposed to the opening of new public grade crossings over main line railroad routes, and expressed the opinion that the number of such public grade crossings should be kept to an absolute minimum. The letter concluded with this statement: "With this in mind, we certainly cannot give favorable consideration at this time to creating a new public grade crossing at Filmore Street."

There is no record as to how long a crossing has been in existence at Filmore Street nor how it came into being, but the Commission has long recognized that any grade crossing is a point of potential hazard and an analysis of the record in this proceeding leads us to the inescapable conclusion that we would be remiss in our responsibility if we were to permit this unauthorized crossing to remain open to public use and travel. This finding is all the more conclusive when it is recognized that in the immediate vicinity there is in existence a public crossing fully protected with modern warning devices.

Although the city attorney of Los Angeles, the Board of Public Utilities and Transportation of the City of Los Angeles, and the Los Angeles County Grade Crossing Committee were notified of the hearing in this proceeding, no appearances were entered by or for any of these parties.

Under the circumstances and for the reasons discussed in this opinion, we believe that in the interest of public safety the application should be granted. The following order will so provide.

O R D E R

A public hearing having been held and the Commission being fully advised,

IT IS HEREBY ORDERED that the existing crossing of Filmore Street over Southern Pacific tracks in the City of Los Angeles, more specifically shown on the map attached to the application and identified as Crossing No. B-462.9, shall be effectively closed and barricaded to public use and travel. All costs incurred in effecting compliance with this order shall be borne by Southern Pacific Company.

Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. The effective

date of this order shall be twenty days from the date hereof.

Dated at San Francisco, California, this 31st
day of November, 1948.

R. Z. [unclear]
Justin F. Casner
Sup. of [unclear]
Harold T. Hale
[unclear] Potter
COMMISSIONERS