

ORIGINAL

Decision No. 42879

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SOUTHERN	)	
PACIFIC COMPANY for an order prescribing the	)	
manner of use of certain grade crossings of	)	Application
the railroad of applicant over public streets	)	No. 29526
or highways in the CITY OF ANTIOCH, California,	)	
by fixing the maximum permissible speed of	)	
locomotives and trains thereover.	)	

E. J. FOLDS, for Applicant Southern Pacific Company

WAKEFIELD TAYLOR, City Attorney, City of Antioch, Protestant

O P I N I O N

In this application Southern Pacific Company requests that the Commission prescribe the manner of use of certain grade crossings of its railroad over public streets or highways in the City of Antioch, Contra Costa County, by fixing the maximum permissible speed of locomotives and trains thereover.

A public hearing was held in this matter before Examiner Hall in Antioch on December 8, 1948, at which time the matter was submitted for determination.

Southern Pacific Company's Valley Line main track runs through the City of Antioch in a general east and west direction and is located approximately three-fourths of a mile south of the business district of the city. The only streets which cross the railroad tracks at grade are "D" Street (Crossing No. B-53.3) and "A" Street (Crossing No. B-53.5). "A" Street is located in the vicinity of the easterly city limits and "D" Street is approximately three long blocks west thereof. (1) The railroad station is located between these crossings.

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(1) The "D" Street crossing was recently constructed under authority granted by Decision No. 40521, as amended by Decision No. 41121 (dated January 13, 1948, on Application No. 28265). This authority provided that said crossing be protected by automatic flashing light signals (Standard No. 8, G. O. No. 75-B), installed at the expense of the City.

By Section 1 of Ordinance No. 129A, <sup>(2)</sup> dated July 27, 1936, the City of Antioch requires that: "No person, firm, or corporation owning, operating or controlling any railroad train or part thereof in the City of Antioch, shall cause, permit or allow said railroad train or part thereof to be operated over, along, upon or across any public street or highway in the City of Antioch, State of California, at a speed in excess of fifteen miles (15) per hour." During the last few months the City of Antioch has policed the railroad and required it to abide by this fifteen-mile per hour regulation.

Applicant contends that this speed restriction unduly hampers its operations due to the fact that additional running time is required on all of its trains operating between Oakland Pier and Tracy, Los Angeles, and points in the San Joaquin Valley, and furthermore, that this restriction does not materially reduce hazards at these crossings. It was further brought out by applicant that if such a speed restriction were invoked in all the cities of similar size throughout its system in California, the time required for its schedules would be very materially lengthened.

Applicant presented Exhibit No. 2 showing a recapitulation of accidents at various speeds of trains over crossings on a part of its system, which indicated that approximately 30 per cent of the accidents occurred when trains were moving between one and five miles per hour, and approximately 2 per cent when trains were moving between 50 and 59 miles per hour. This exhibit does not, however, classify these accidents as to relative severity, nor does it state the number of locomotive miles operated at various speeds. Railroads ordinarily operate a great many locomotive miles at slow speeds in switching as well as road service, and relatively few at speeds over 50 miles an hour. It is not unlikely that less than 2 per cent of these train movements was at speeds of more than 50 miles per hour.

The City of Antioch protested increasing the speed of trains through Antioch, contending that an extreme hazard would result at these crossings, particularly at the "D" Street crossing where a large number of school children cross on foot each day. It is the City's contention that the signals at the "D" Street

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(2) Entered in this proceeding as Exhibit No. 1.

crossing are inadequate and improperly installed in that when train movements come out of a spur or side track adjacent to the crossing they do not actuate the signal. When a freight train is switching, these signals sometimes give adverse warning. These switching movements are relatively slow, however, and should not seriously affect the safety of the crossing. If the train crew properly handles the movements and switches, these false indications can be reduced to a minimum.

The record shows that when the City of Antioch was authorized to construct the "D" Street crossing it was required to bear the cost of constructing the crossing and installing automatic signals. Southern Pacific Company installed these signals for account of the City and employed the normal ringing circuits connected with the main line track only. As a general rule the expense of more complicated controls which would protect against side track and reverse movements would not be justified at this location, but if the City desires to bear this expense it is at liberty to so arrange with Southern Pacific Company. This feature has nothing to do with the speed of trains, with which we are concerned in this proceeding.

The accident record shows that there have been five accidents at the "A" Street grade crossing, resulting in two deaths. The provisions of General Order No. 75-B require that two signals be installed at each grade crossing. There is only one wigwag signal at the "A" Street crossing which was installed before the effective date of General Order No. 75-B.

In the event authority is granted to increase the speed of trains through the City of Antioch, the protection at the "A" Street crossing (No. B-53.5) should be modernized and brought up to standard by replacing the existing single No. 3 wigwag signal with two No. 8 flashing light signals. The No. 8 flashing light signals at the "D" Street crossing (No. B-53.3) appear to give reasonable protection. However, the ringing circuits at both crossings should be arranged so that the signals will give proper warning for main line train movements at the speed herein authorized.

After reviewing the entire record in this proceeding we conclude:

I. That a train speed of 15 miles per hour is not consistent with good and efficient railroad practice; and

II. That the speed of trains could be reasonably increased to 45 miles per hour if the following conditions are met by applicant:

- (a) Two No. 8 flashing light signals to be installed at the "A" Street crossing (No. B-53.5); and
- (b) Circuits at both the "A" and "D" Street crossings to be rearranged in order to give from 20 to 30 seconds warning for the maximum train speed (G.O. No. 75-B).

The following order will so provide.

#### ORDER

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

IT IS ORDERED that Southern Pacific Company is authorized to operate its trains through the City of Antioch, Contra Costa County, at a speed not in excess of 45 miles per hour when the following conditions have been complied with:

- (1) Applicant shall install and maintain at its own expense two No. 8 flashing light signals (G.O. No. 75-B) at the "A" Street crossing (Crossing No. B-53.5).
- (2) Applicant shall at its own expense rearrange the circuits of the signals at both the "A" Street crossing (Crossing No. B-53.5) and the "D" Street crossing (Crossing No. B-53.3) in order to give from 20 to 30 seconds warning for the maximum train speed (G.O. No. 75-B).

Applicant shall, within thirty (30) days thereafter, notify this Commission in writing of its compliance with the conditions hereof.

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

The authorization herein granted shall lapse if not exercised within one

(1) 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 17<sup>th</sup>  
day of May, 1949.

R. T. [Signature]  
Justice J. [Signature]  
[Signature]  
[Signature]  
[Signature]  
Commissioners