

ORIGINAL

Decision No. 49276

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the)
COUNTY OF CONTRA COSTA, State of California,)
for a crossing at grade of the tracks of)
the SOUTHERN PACIFIC COMPANY on Litina (Litina))
Drive, approximately three miles south of)
Walnut Creek, Contra Costa County, California.)

Application No. 32792

In the Matter of the Application of the)
COUNTY OF CONTRA COSTA, State of California,)
for a crossing at grade of the tracks of the)
SOUTHERN PACIFIC COMPANY on Ridgewood Road)
near the Town of Alamo, Contra Costa County,)
California.)

Application No. 34211

Matthew S. Walker and John Clausen, Deputy District
Attorneys, for applicant.

R. S. Myers, for Southern Pacific Company, Interested party.
James K. Gibson, for the Commission Staff.

O P I N I O N

The County of Contra Costa, in Application No. 32792, seeks an order authorizing it at its own expense to construct a public crossing at grade over the tracks of the Southern Pacific Company (San Ramon Branch) at Litina Drive near Walnut Creek, in said county, in the manner set forth on a map attached to the application.

In Application No. 34211, the County of Contra Costa requests an order permitting it at its own expense to construct a public grade crossing over the tracks of the Southern Pacific Company (San Ramon Branch) at Ridgewood Road near Alamo in said county in the manner delineated on a map appended to the application.

A public hearing consolidating both proceedings was held at Walnut Creek before Examiner Silverhart on September 18, 1953, at which time the matters were submitted.

Litina Drive runs in an easterly and westerly direction. Its easterly terminus is State Highway 21 and to the west it results in a dead end. The record shows that the present crossing at Litina Drive (M.P. 51.2) is a private, oiled roadway, 15 feet in width, in fair condition, with grades of approach on both sides approximately 6 per cent. Trees, a hill and curvature of the track impair visibility. Occupants of five houses utilize Litina Drive for passage to and from State Highway 21. A public crossing protected by two No. 1 crossing signs and two advance warning signs, is located 0.1 of a mile northerly of the Litina Drive crossing.

Ridgewood Road is 0.1 of a mile south of and parallels Litina Drive and runs in an easterly and westerly direction extending approximately 1500 feet from State Highway 21 to the base of the hills west of the railroad track and continues thence northerly and westerly some 2000 feet to a junction with a road extending approximately 2800 feet to the south therefrom. The record further shows that the existing crossing at Ridgewood Road (M.P. 51.3) is a publicly used, private roadway 15 feet in width, in fair condition with graveled approaches. The grade of approach in the east is approximately six per cent ascending, and on the west approximately 8 per cent descending. Ridgewood Road affords a means of access to and from State Highway 21 for the residents of nine homes. To the south 0.8 of a mile distant there is a public crossing protected by two No. 1 crossing signs and two advance warning signs.

An assistant engineer of Southern Pacific Company's Western Division testified that the railroad has no objection to the construction of the proposed public crossing at Ridgewood Road protected by No. 1 crossing signs. He stated that the Southern Pacific Company objected to the crossing proposed at Litina Drive because of the conditions existing there and because of its closeness to other existing crossings.

A transportation engineer of the Commission's staff recommended that the proposed crossing at Ridgewood Road be authorized and that permission to construct the proposed crossing at Litina Drive be denied.

In Decision No. 40176 dated April 15, 1947, the Commission requested the County of Contra Costa to present a plan with respect to location of railroad crossings in this general area. Thereafter in Application No. 28053 there was received in evidence on May 28, 1947, as Exhibit No. 5 the minutes of the meeting between representatives of Contra Costa County, Southern Pacific Company and the Commission's staff concerning the development of a program for future grade crossings in San Ramon Valley in southern Contra Costa County. Exhibit No. 5 stated that it was agreed that the crossings set forth therein "should reasonably well take care of future needs when more subdivisions are developed particularly in San Ramon Valley between the railroad and the hills to the west". Included on the list for future public crossings is Ridgewood Road, no mention is made of Litina Drive.

The testimony in this proceeding indicates that Exhibit No. 5 which contemplated future growth is still valid, applicable and appropriate for conditions now existing.

This record does not disclose that it is in the public interest to authorize the conversion of the private crossing at Litina Drive to a public crossing. Application No. 32792 will be denied.

The record does demonstrate that the construction of a public crossing as proposed at Ridgewood Road is in the public interest. Application No. 34211 will be granted.

O R D E R

A public hearing having been held and based upon the evidence therein adduced,

(1) That the county of Contra Costa is authorized to construct a public crossing of Ridgewood Road with the tracks of the Southern Pacific Company (San Ramon Branch) at the location more particularly outlined and in the manner delineated upon the map attached to Application No. 34211 as Exhibit A, subject to the following conditions:

(a) The above crossing shall be identified as Crossing No. BO-51.3.

(b) The crossing shall be constructed equal or superior to Standard No. 2 of General Order No. 72 and shall be protected by two Standard No. 1-A crossing signs as shown in General Order No. 75-B or two Standard No. 1 crossing signs reflectorized with reflex-reflective sheeting.

(c) The width of the crossing shall be not less than 24 feet and grades of approach shall be substantially as shown on the map attached to Application No. 34211.

(d) The entire expense of constructing the crossing inclusive of the protection herein ordered shall be borne by applicant. The cost

of maintenance of that portion of the crossing up to lines two feet outside of the outside rails shall be borne by applicant. The cost of maintenance between said lines shall be borne by Southern Pacific Company.

(e) The cost of maintaining the above described crossing signs shall be borne by the Southern Pacific Company.

(f) Within 30 days thereafter applicant shall give the Commission written notice of the completion of the installation of said crossing and of its compliance with the conditions hereof.

(g) The authorization herein granted shall lapse if not exercised within one year from the date hereof, unless further time is granted by subsequent order.

(2) Application No. 32792 is denied.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 3rd day of November, 1953.

[Signature]
President
[Signature]
[Signature]
[Signature]
Commissioners