

Decision No. 50586

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of )  
 the City of Glendale, a municipal cor- )  
 poration, for an order or orders )  
 authorizing and requiring the con- )  
 struction of a grade separation of the )  
 crossing of Los Feliz Road and the )  
 railroad of the Southern Pacific )  
 Company, designating the portions of )  
 the work to be done respectively by )  
 said City, the City of Los Angeles, )  
 and said railroad corporation, and )  
 allocating the cost thereof among )  
 said Cities and said railroad corpo- )  
 ration. )

Application No. 32385

In the matter of the investigation on )  
 the Commission's own motion as to the )  
 necessity of effecting a grade separa- )  
 tion between the tracks of the )  
 Southern Pacific Company and Los Feliz )  
 Boulevard in the Cities of Los Angeles )  
 and Glendale, County of Los Angeles, )  
 State of California, and the division )  
 among the affected parties of the cost )  
 incident to such separation. )

Case No. 5327

O P I N I O N

By Decision No. 47420, dated June 30, 1952, in Application  
 No. 32385 and Case No. 5327 (51 Cal. P.U.C. 788), this Commission  
 issued an order authorizing and directing the City of Glendale to  
 separate the grades of Los Feliz Road and the tracks of the Southern  
 Pacific Company in the manner therein specified. The order further  
 provided conditions for the proposed construction and allocated the  
 costs thereof. On March 9, 1953 the Supreme Court of California  
 denied a petition for writ of review, and on November 9, 1953 the  
 Supreme Court of the United States, after a hearing on the merits,  
 affirmed the judgment of the Supreme Court of California. The  
 time for filing a petition for rehearing expired December 4, 1953  
 without such a petition having been filed.

The parties concerned now have reached an agreement providing for the construction of the grade separation, a copy of which agreement is submitted with the application herein. It has been signed by representatives of the City of Glendale, the County of Los Angeles, and City of Los Angeles, and the Southern Pacific Company. The filing of this agreement is in accordance with the conditions of Decision No. 47420, supra. It should be noted that by that decision the City of Glendale was directed to prepare the plans and specifications, whereas under the agreement the City of Los Angeles has undertaken to perform this work.

After a consideration of this matter we find the agreement to be in substantial conformity with the requirements of Decision No. 47420, and accordingly it will be approved.

O R D E R

Supplemental application and petition as above entitled having been filed, and the Commission being fully advised,

IT IS ORDERED that the agreement dated July 13, 1954 be, and it hereby is, approved. All provisions and requirements set out in Decision No. 47420, dated June 30, 1952, in Application No. 32385 and Case No. 5327, except as they are modified by the foregoing agreement, shall remain in full force and effect.

The effective date of this order shall be the date hereof. ✓

Dated at San Francisco, California, this 28th day of SEPTEMBER, 1954.

John E. Mitchell  
President  
James F. Casper  
Francis H. Sattler  
James Dioggino  
Paul W. Lintner  
Commissioners