

ORIGINALDecision No. 50845

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 LOS ANGELES TRANSIT LINES, a corpora-)
 tion, for authority to (1) establish)
 rail operation on New Hampshire Avenue)
 from Monroe Street to Melrose Avenue)
 and on Melrose Avenue from New Hampshire)
 Avenue to Vermont Avenue, substitute)
 motor coach operation on the Santa Fe)
 Avenue and Leonis Boulevard legs of)
 rail line "V", and establish motor)
 coach service into the Central Manu-)
 facturing District; and (2) abandon)
 rail operation on Larchmont Boulevard)
 and on Third Street westerly of)
 Wilton Place.)

Application No. 35248

David D. Canning for applicant. Robert W. Walker
 and Richard Knowlton for The Atchison, Topeka and
 Santa Fe Railway Company and Los Angeles Junction
 Railway, protestant.

OPINION ON REHEARING

By Decision No. 50179 the Los Angeles Transit Lines was granted a certificate of public convenience and necessity authorizing the establishment and operation of a service as a passenger stage corporation for the transportation of persons by motor coach along its designated Leonis Boulevard-Santa Fe Avenue Motor Coach Line No. 23. In connection with this authority the Los Angeles Transit Lines was authorized to erect and maintain exempt signs at seven railroad grade crossings.

Under date of July 1, 1954, The Atchison, Topeka and Santa Fe Railway Company filed a Petition for Rehearing and

Reconsideration on the grounds "that the findings of the Commission in Decision No. 50179 (supra) failed to coincide with material evidence supporting the protest of this petitioner with regard to exemption of Crossings Numbered 2H-1.57 C and 2H-1.48 C." It should be noted that the first of these crossings is located at Santa Fe Avenue and 48th Street and the second at Leonis Boulevard immediately east of Pacific Boulevard.

A public hearing was held in Los Angeles before Examiner Grant E. Syphers on October 25, 1954, at which time evidence was adduced and the matter submitted.

A witness for the railroad presented testimony to the effect that Crossing No. 2H-1.48 C at Leonis Boulevard, immediately east of Pacific Boulevard, is a spur track crossing serving certain industries. There are approximately six train movements per day over the crossing, each consisting of about six cars. In these movements the engine usually pushes the cars inbound and pulls them outbound. On the northwest corner there is a building which is erected out to the sidewalk line, making a blind approach for traffic moving easterly on Leonis Boulevard. On a so-called pushed or shoved movement a flagman is sent out to flag the traffic, but in the opinion of the witness this is not complete protection.

The railroad track at Crossing No. 2H-1.57 C, located at Santa Fe Avenue and 48th Street, serves the American Can Company and Ducommun Metals. There are about eight train movements per day, and on the southeast corner of the crossing the

American Can Company warehouse is built up to the sidewalk line. This creates a blind crossing for automobile traffic moving northerly on Santa Fe Avenue. As is the case with the other crossing, a flagman covers the so-called shoved movements.

Exhibit No. 1, received in this rehearing, is a letter dated October 4, 1954, from the attorneys for Los Angeles Transit Lines, stating that that company does not oppose the matter now up for reconsideration. However, a witness for the Los Angeles Transit Lines did appear at the hearing and pointed out that his company has filed a Petition for Modification in this matter, requesting relief from compliance with paragraph (1) of the order in Decision No. 50179, supra, authorizing the abandonment of certain rail facilities now in place in Vermont Avenue and Monroe Street, except that the company requests no relief from complying with the abandonment of approximately 185 feet of the southerly track in Monroe Street easterly from the end of the track. He also pointed out that the Petition for Modification requests relief from complying with paragraph (2) of the order in Decision No. 50179, supra, except that the company does desire to construct one track and appurtenances in New Hampshire extending approximately 95 feet southerly from Monroe Street, together with curve connections to intersecting tracks. The reasons for these requests arise from the fact that in Decision No. 50179, supra, Los Angeles Transit Lines was authorized in the operation of its "V" line to conduct operations over an alternate route via New Hampshire Avenue and Monroe Street. The witness testified that it is now applicant's

intention to conduct its rail line "V" service over this alternate route, and therefore certain of the tracks and facilities hereinabove mentioned will be required in connection with this alternate route.

A consideration of this record leads to the conclusion, and we now find, (1) that the requested exemptions at Crossings Nos. 2H-1.57 C and 2H-1.48 C should be denied, and (2) that the changes in Decision No. 50179, paragraphs (1) and (2) of the order should be granted, as requested by Los Angeles Transit Lines.

O R D E R

Decision No. 50179, dated June 18, 1954, in Application No. 35248, having been issued, a petition of The Atchison, Topeka and Santa Fe Railway Company for reconsideration having been filed, and a petition of Los Angeles Transit Lines for modification also having been filed, public hearing having been held in the matter, the Commission being fully advised in the premises and hereby finding it to be not adverse to the public interest,

IT IS ORDERED that the following paragraphs of the order in Decision No. 50179, supra, be changed to read as follows:

- (1) Abandon the following rail facilities:

The southerly track in Monroe Street for approximately 185 feet easterly from the end of the track.

- (2) Construct new track and appurtenances over the following described route:

One track and appurtenances in New Hampshire extending approximately 95 feet southerly from Monroe Street, together with curve connections, to intersecting tracks.

(7) Erect and maintain exemption signs at the railroad crossings hereinafter set forth along Motor Coach Line No. 23, in accordance with the provisions of Part 16 of General Order No. 98, and Section 576(d) of the California Vehicle Code:

<u>Crossing Number</u>	<u>Location</u>	<u>Number of Tracks</u>
2H-1.84-C	5400 Santa Fe Avenue	1 track
BG-487.3-C	Santa Fe Avenue at Fruitland Avenue	2 tracks
2H-1.49-C	Santa Fe Avenue at 45th Street	1 track
3A-3.85-C	Downey Road immediately north of Leonis Boulevard	1 track
25B-1.41-C	District Boulevard immediately west of Cudahy Avenue	1 track

IT IS FURTHER ORDERED that the other provisions of Decision No. 50179, supra, shall remain in full force and effect.

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

Dated at San Francisco, California, this 7th day of DECEMBER, 1954.

Peter E. Mitchell
 President
Justin J. Calver
Thomas P. Pittel
Walter J. Rogers
Ray L. Lutz
 Commissioners