

ORIGINALDecision No. 52071

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,
 Department of Public Works, for an order
 authorizing construction of a crossing
 at separated grades over the tracks of
 the Southern Pacific Company at the
 north end of its Taylor Yard in the City
 of Los Angeles, and the abandonment of an
 existing crossing at grade. Said over-
 pass crossing is sometimes referred to
 as "Taylor Yard Overhead".

Application No. 36593

O P I N I O N

The Department of Public Works of the State of California requests an order of this Commission approving the construction and allocating the costs of a grade separation of State Route No. 162 and the tracks of the Southern Pacific Company at the north end of that railway's Taylor Yard in Los Angeles. In addition the application requests that the existing grade crossing of the Southern Pacific tracks and Fletcher Drive (Crossing No. B-478.1) be closed.

The City of Los Angeles, acting by and through the City Attorney, has filed a written motion asking that the issues in the application be separated for hearing purposes so that the problems relating to the proposed separation of State Route No. 162 and the tracks at the north end of Taylor Yard, together with the apportionment of costs, will be tried in one proceeding, and the problems relating to the abandonment or closing of the existing grade crossing of the Southern Pacific tracks and Fletcher Drive will be tried in another proceeding. The principal grounds of the

motion are that the construction of the proposed grade separation can be accomplished regardless of whether the crossing at Fletcher Drive is closed, and also that the proposed underpass can be constructed prior to the apportionment of costs. It is suggested that the Department of Public Works of the State of California proceed with its construction and subsequently the amount of the railway's contribution thereto, if any, can be determined. The motion alleges that an early determination of the grade separation proposal is urgent due to traffic conditions in the area, but that the proposed closing of Fletcher Drive raises numerous other issues involving a number of additional parties.

Van De Kamp's Holland Dutch Bakers, Inc., have filed a memorandum in support of the City's motion on substantially the same grounds, pointing out additionally the situation as it relates to property in the area belonging to that company.

The Southern Pacific Company and the Department of Public Works have filed written answers and protests to the motion, contending that the issues regarding the proposed separation and the proposed crossing closing are so closely connected that they cannot be considered separately. Furthermore, the public convenience, necessity and safety are concerned with both propositions, as is the question of economic justification.

A consideration of the motion and the statements in support and opposition thereto leads us to the conclusion, and we now find, that the issues should not be separated. The parties who may be financially concerned in the issue, the Department of Public Works of the State of California and the Southern Pacific Company, oppose the separation, and at this stage of the proceedings

there are insufficient facts before this Commission to determine the effects of either proposal upon the public convenience, necessity and safety.

ORDER

Application as above entitled having been filed, a motion to separate the issues therein having been submitted, and the Commission being fully advised in the premises,

IT IS HEREBY ORDERED that the issues presented in the application of the Department of Public Works of the State of California, No. 36593, will be heard on a consolidated record and the matter will be set for hearing before such commissioner and examiner as the Commission may designate.

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

Dated at San Francisco, California, this 11th day of October, 1955.

[Signature]
President

[Signature]

[Signature]

[Signature]
Commissioners