

**ORIGINAL**Decision No. 52484

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 the CITY OF MILLBRAE, a municipal )  
 corporation and political subdivision )  
 of the State of California, for an )  
 order authorizing the construction of ) Application No. 36919  
 a public pedestrian crossing across a )  
 railroad, to wit: Lands and railroad )  
 of the Southern Pacific Company in the )  
 City of Millbrae, County of San Mateo, )  
 State of California. )

Robert R. Thompson, City Attorney,  
 for applicant.  
R. E. Phelan and R. S. Myers, for  
 Southern Pacific Company, protestant.  
M. E. Getchel, for Commission staff.

O P I N I O N

The city applicant commenced this proceeding on April 25, 1955 for the purpose of securing authority to construct a pedestrian crossing. The rails to be crossed are double tracks of Southern Pacific Company's Coast Division main line. Public hearing was held before Examiner John Power in Millbrae on October 11, 1955. The applicant called four witnesses and the protestant, one. At the conclusion of the hearing the matter was submitted and is ready for decision.

The railroad confined its protest to urging automatic protection at the crossing. There was thus no protest to granting the crossing itself. The city presented evidence sufficient to show public convenience and necessity for the proposed crossing and the sought authority will be granted. The only disagreement arose over protection. The city proposed the installation of two Standard

No. 1 crossing signs commonly referred to as "cross-bucks". The railroad witness favored automatic gates. He pointed out that rail traffic density on this line is heavy.

On a Wednesday, July 27, 1955, there were six streamlined passenger, sixty other passenger, four high-speed freight, twenty-one other freight and one light engine for a total of 92 movements through the proposed crossing site.

On the other hand the general experience with pedestrians crossing rail tracks has been far more favorable than is the case with vehicular crossings. There is another pedestrian crossing in Millbrae with Standard No. 1 crossing signs as its protection. There has been no unfavorable accident experience at that crossing.

The Commission finds and concludes that the sought authority should be granted. We further conclude that the proper protection of the crossing can be accomplished by: (1) two Standard No. 1 crossing signs; (2) the installation of a street light to illuminate the walkway at night; (3) the installation of posts at each end of the walkway, so placed as to induce or compel bicycle riders to dismount; (4) the building of wing fences designed to draw pedestrians toward the improved walkway. The following order will be drawn in accordance with these conclusions.

O R D E R

The City of Millbrae is authorized to construct a pedestrian crossing at grade across tracks of The Southern Pacific Company in San Mateo County, at the location described in the application to be identified as Crossing No. E-13.1-D. Applicant shall bear entire construction expense, also maintenance cost outside of lines two feet outside of rails. Southern Pacific Company shall bear

maintenance cost between such lines. Width of crossing shall be not greater than ten feet and grades of approach not greater than five per cent. Protection shall be by 2 Standard No. 1 crossing signs (General Order No. 75-B); also, by wing fences at each end of the walkway so constructed as to direct pedestrians onto the walkway; also, by obstructing the walkway at each end with posts so placed as to compel bicycle riders to dismount and by installing a street light at the crossing.

Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall expire if not exercised within one year unless time be extended. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

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

Dated at San Francisco, California, this 16<sup>th</sup> day of January, 1956.

[Signature]  
President

[Signature]

[Signature]

[Signature]

Commissioners

Commissioner Matthew J. Dooley, being necessarily absent, did not participate in the disposition of this proceeding.