

ORIGINAL

Decision No. 58106

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the County of Los Angeles)
for a detour crossing at Del Amo Boule-)
vard and the Pacific Electric Santa Ana)
Line adjacent to existing crossing)
No. 6N-20.03 and Coyote Creek, County)
of Los Angeles.)

Application No. 39311

Harold W. Kennedy, County Counsel, by Ronald L. Schneider, Deputy County Counsel, for the applicant.

E. D. Yeomans and Walt A. Steiger, by Walt A. Steiger, for Pacific Electric Railway Company, protestant.
Robert A. Von Esch, Deputy County Counsel, for the Los Angeles County Flood Control District, interested party.

O P I N I O N

A public hearing was held in this matter on December 4, 1958, in Los Angeles, before Examiner Grant E. Syphers.

The County of Los Angeles requests an order of this Commission authorizing a temporary detour crossing at grade at Del Amo Boulevard over the Pacific Electric Railway Company's Santa Ana line, approximately 150 feet northerly of an existing grade crossing. It is proposed to relocate this crossing temporarily, inasmuch as the Los Angeles County Flood Control District plans to construct a flood control channel about 200 feet in width which will run in a northerly and southerly direction through the area.

The evidence discloses that this channel will be built by Army engineers and may not be completed for five or more years. The County of Los Angeles does not expect the Pacific Electric Railway

Company to bear any of the cost of the temporary relocation and it proposes to move the present crossing protective devices to the new temporary crossing.

The railroad operates two trains per day in each direction over this crossing at speeds not in excess of 30 miles per hour. There is an existing natural channel known as Coyote Creek which flows under existing bridges on Del Amo Boulevard and the railroad. The bridge on Del Amo Boulevard is approximately 75 feet in length and the bridge on the railroad about 120 feet in length. The street bridge is about 50 feet northerly of the railroad bridge, and the flow of water is from north to south.

It was the position of the railroad that the existing embankment formed by Del Amo Boulevard acts as a protection to the railroad track against the excessive flow of water. In other words, the water now flows through the natural channel under the highway bridge and then under the railroad bridge. If the present highway embankment is removed, then the water will not flow in its present course but will flow in a wider channel and may require the railroad to extend or lengthen its present trestle in order to accommodate the wider flow of water.

Accordingly, the objection of the railroad at this time is to the removal of the embankment of Del Amo Boulevard. There is no question upon this record but that the channel will be constructed and that it will go under the railroad's tracks. However, it is not resolved at this time as to what type of railroad bridge will be constructed and as to who shall pay for this construction. The evidence discloses that the existing railroad bridge is only 120 feet in length and the proposed channel would be almost 200 feet in width.

The evidence also discloses that the principal reason for requesting the temporary detour crossing is to accommodate the construction of the flood-control channel. The record does not disclose that the existing crossing presents a safety problem which requires additional crossing protection. As a matter of fact, the proposal is to maintain the same type of protection at the proposed new temporary crossing as is maintained at the present crossing.

Upon this state of the record, therefore, we find that the application is premature. If the temporary relocation should endanger the present railroad structure, and there is evidence in this record which indicates that it might, then such relocation would be adverse to the public interest. From the record it appears probable that the flood-control channel will eventually be constructed and that it will require changes in the existing railroad bridge. However, there is no evidence in the record that these changes will now be made, nor, indeed, that they can now be made, since the evidence indicates that the flood-control channel may not be constructed for at least five and possibly more years. Therefore, to grant the existing application might expose the railroad to what appears from this record to be an unnecessary hazard.

We believe that before such relocation should be authorized, a more definite proposal should be submitted.

O R D E R

Application as above entitled having been filed, public hearing having been held thereon, the Commission being fully advised in the premises and hereby finding it to be contrary to the public interest,

IT IS ORDERED:

(1) That the application of the County of Los Angeles to construct a temporary detour crossing in the vicinity of Del Amo Boulevard and the Pacific Electric Railway Company tracks be, and it hereby is, denied.

(2) That this denial is without prejudice to any further action the County of Los Angeles may take in this matter.

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

Dated at San Francisco, California,
this 10th day of March, 1959.

[Signature]
President

[Signature]

[Signature]

[Signature]
Commissioners