

ORIGINAL

Decision No. 58242

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
UNION PACIFIC RAILROAD COMPANY and  
SOUTHERN PACIFIC COMPANY to replace  
manually-operated crossing protection  
with standard No. 8 flashing light  
signals equipped with automatic gate  
arms, at Park Avenue (No. B-514.1),  
Gordon Street (No. B-514.2), Main  
Street (No. B-514.3), Garey Avenue  
(No. B-514.4) and Gibbs Street  
(No. B-514.5), in the City of Pomona,  
County of Los Angeles, State of  
California.

Application No. 40412

Malcolm Davis for Union Pacific Railroad Company,  
applicant.

E. D. Yeomans and Walt A. Steiger for Southern  
Pacific Company, applicant.

George D. Moe for the State Department of Public  
Works, interested party.

William Mortland for the City of Pomona, interested  
party.

Alan F. Williams for the Commission staff.

O P I N I O N

By application filed September 8, 1958, Union Pacific Railroad Company and Southern Pacific Company request an order of this Commission authorizing them to replace the present manually-operated gates with Standard No. 8 flashing light signals equipped with automatic gate arms at the grade crossings of applicants' tracks and Park Avenue, Gordon Street, Main Street, Garey Avenue and Gibbs Street, all located in the City of Pomona, California.

The verified application alleges that in the judgment of applicants adequate protection can be afforded to the public using said crossings by such installation of automatic

protection which will substantially reduce the cost to applicants of maintaining crossing protection at said points. It is further alleged that public convenience and necessity can best be served by replacing the manually-operated protection with automatic protection.

Public hearing was held in Los Angeles before Examiner Rowe on March 10, 1959, at which it was stipulated by all counsel that the application so far as it applied to crossings at Park Avenue, Gordon Street, and Main Street, should be granted by interim order immediately and that action on the application so far as it applied to Garey Avenue and Gibbs Street should be deferred until the parties could reduce to writing their agreement as to said two grade crossings. It was agreed, however, that the portion of cost of a proposed grade separation at Garey Avenue, a state highway being State Route No. 19, to be paid by the railroads would be \$500,000. Acting upon such stipulation the application matter was continued to December 3, 1959, with the understanding that the hearing date would be accelerated should a satisfactory agreement be sooner reached between applicants, the Department of Public Works, and the City of Pomona as to the proper division of construction and other costs in addition to the amount above stated to be contributed by the railroads.

Counsel for Union Pacific Railroad Company also stated at the hearing that it was becoming increasingly difficult to use the manually-operated crossing gates because of obsolescence and deterioration of parts. The Commission finds that public convenience, necessity, and safety require the granting of the application immediately as to the grade crossings at Park Avenue, Gordon Street, and Main Street as set forth in the following order.

INTERIM ORDER

Application therefor having been filed, public hearing having been held and the parties having entered into a stipulation which is hereby approved,

IT IS ORDERED:

(1) That Union Pacific Railroad Company and Southern Pacific Company are authorized to remove the manually-controlled crossing gates at Park Avenue Southern Pacific Company (Crossing No. B-514.1) and Union Pacific Railroad Company (Crossing No. 3-31.8), Gordon Street Southern Pacific Company (Crossing No. B-514.2) and Union Pacific Railroad Company (Crossing No. 3-31.85), and Main Street Southern Pacific Company (Crossing No. B-514.3) and Union Pacific Railroad Company (Crossing No. 3-31.9), provided such protection is concurrently replaced with two Standard No. 8 flashing light signals at each such grade crossing supplemented with automatic crossing gates to protect against train movements in either direction.

(2) That applicants shall within thirty days after the completion of each such installation advise the Commission thereof in writing.

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

Dated at San Francisco, California,  
this 7th day of April, 1959.

E. L. Fox  
President  
Michael J. Quinlan  
Theodore H. Senior  
Everett M. Ray  
Commissioners