

62990

ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation for the purpose of)
 establishing a list for the year)
 1962 of railroad grade crossings)
 of city streets or county roads)
 most urgently in need of separa-)
 tion, or existing separations in)
 need of alteration or reconstruc-)
 tion as contemplated by Section)
 189 of the Streets and Highways)
 Code.)

Case No. 7173

Roger Arnebergh, City Attorney, by John T. Neville and Arthur Karma, for City of Los Angeles; J. Duffy Atkinson, for City of Glendora; David N. M. Berk, for City of Beaumont; H. H. Foreman, for City of Santa Ana; J. H. Cummins, E. J. Riordan, W. L. Seabridge and A. M. Shelton, for The Atchison, Topeka and Santa Fe Railway Company; Harold W. Kennedy, County Counsel by Ronald L. Schneider, for County of Los Angeles; Wm. Irl Kennedy, for Union Pacific Railroad Company; James W. O'Brien and Harold S. Lentz, for Southern Pacific Co., Northwestern Pacific Railroad, Pacific Electric Railway, Sunset Railway and San Diego & Arizona Eastern Railway Company; John G. Moffatt, for City of Long Beach; Thomas E. Selman, for City of Indio; Ervin Spindel, for City of Burbank; Alfred Robert Theal, for City of Riverside; Roland S. Woodruff, for Greater Bakersfield Separation of Grade District; James B. Turner, for City of Albany; Daniel J. Curtin, Jr., for City of Richmond; John R. Kennedy, for County of Santa Clara; D. R. Von Raesfeld, for City of Santa Clara; Harold A. Berliner, for County of Nevada; Mark L. Kermit, for Contra Costa County; Stanley Twardus and A. P. Hamann, for City of San Jose; Arthur Harzfeld, for City of San Mateo; Robert S. Jordan, and Perry W. Scott, for City of Sunnyvale; S. M. Black, for County of Fresno; respondents.

William V. Ellis, for California State Legislative Board Brotherhood of Locomotive Firemen and Enginemen; Warren P. Marsden and George D. Moe, for State Department of Public Works; G. R. Mitchell, for Brotherhood of Locomotive Engineers; interested parties.

Elinore Charles, for the Commission staff.

O P I N I O N

This proceeding is an investigation upon the Commission's own motion to establish and furnish to the Department of Public Works the 1962 annual priority list setting forth the crossings at

grade and existing grade separations in the State which are most urgently in need of separation or alteration. Sections 189-191 of the Streets and Highways Code provide that the annual budget of the Department of Public Works shall include the sum of \$5,000,000 for allocation to grade separations or alterations made to existing grade separations. These allocations are made for one half of the estimated cost of the project after deducting therefrom the contribution by the railroad involved. The actual allocation of money is made by the Department of Public Works and the California Highway Commission. It is the duty of this Commission to furnish to the Department of Public Works a priority list from which the allocations are made.

A duly noticed public hearing was held in this matter before Examiner Donald B. Jarvis in Los Angeles on October 24, 25 and in San Francisco on October 31 and November 1, 1961.

The order instituting this investigation was served upon each City, County, and City and County in which there is a railroad grade crossing or separation; each railroad corporation; the Department of Public Works; the California Highway Commission; the Greater Bakersfield Separation of Grade District; the League of California Cities; the County Supervisors Association; and other persons who might have an interest in the proceeding.

The Order Instituting Investigation requested that public bodies desiring to nominate crossings or separations for inclusion on the 1962 priority list furnish the Commission with the following information:

For Crossings At Grade Proposed for Elimination

1. Identification of crossing, including name of street or road, name of railroad, and crossing number.
2. Twenty-four hour vehicular traffic volume count, by 30 minute periods.
3. Log of train movements for one typical day showing:
 - (a) Time of passage of each train movement.
 - (b) Length of time crossing was blocked for each train movement.
 - (c) Type of each train movement, i. e., passenger, through freight, or switching.
4. Type of separation proposed (overpass or underpass).
5. Cost estimate of project.
6. Statement as to the amount of money available for construction of the project.
7. Statement as to need for the proposed improvement.

For Grade Separations Proposed for Alteration

1. Identification of crossing, including name of street or road, name of railroad, and crossing number.
2. Twenty-four hour vehicular traffic volume count, by 30 minute periods.
3. Description of existing separation structure, with principal dimensions.
4. Type of alteration proposed.
5. Cost estimate of project.
6. Statement as to the amount of money available for construction of the project.
7. Statement as to need for the proposed improvement.

Prior to the hearing, the presiding Examiner, by appropriate orders, opened to public inspection all of the nominations and supporting data transmitted to the Commission by public bodies in response to the Order Instituting Investigation.

At the hearing, the Commission staff nominated various crossings, not otherwise nominated, which were deemed to be in need of separation.

The Counties of Los Angeles and San Bernardino and the City of Richmond came forward to prosecute staff nominations for separations within their respective territorial limits. The remaining public bodies affected did not come forward to prosecute the other staff nominations. In some instances, this was due to the fact that the public body involved was prosecuting another nomination.

Section 189 of the Streets and Highways Code provides in part that: "The Public Utilities Commission shall include in such priority listing only such crossings which in its judgment are most urgently in need of separation or alteration, taking into consideration the possibility of financing the same under the provisions of this Code." (Emphasis added.) In view of this statutory language the Commission, as a general rule, does not include on the priority list separations or alterations nominated by the Commission staff or other interested parties where nomination of these crossings is not otherwise prosecuted by the public body involved. If the public body concerned does not urge a particular nomination there is usually no reasonable probability that the project could be financed during the year in which the priority list is in effect. Therefore, staff nominations which were not prosecuted by the public bodies involved will not be included in the list.

Subsequent to the hearing, the City of Long Beach requested that its nomination be withdrawn and indicated that a revised application would be submitted in the future. The nomination of the City of Long Beach has, therefore, not been included in the list.

The priority list, in referring to the various projects, in each instance, includes a reference to one or more grade crossings to be eliminated. Elimination of an existing crossing at grade (alterations to existing separation structures excepted) is a necessary part of the project and if it should be excluded such project would automatically no longer be on the list.

The Commission, after considering all of the nominations, establishes the following priority list for 1962:

PRIORITY LIST OF GRADE SEPARATION PROJECTS OR ALTERATIONS
FOR THE YEAR 1962
PURSUANT TO SECTION 189 OF THE STREETS AND HIGHWAYS CODE

| <u>Priority No.</u> | <u>Crossing No.(s)</u> | <u>Street or Streets (existing crossings to be eliminated)</u> | <u>Street (separation)</u> | <u>Local Agency</u> | <u>Railroad</u> |
|---------------------|-------------------------------|--|----------------------------|--|--------------------------|
| 1 | B-207.8 2-995.6 2-175.6 | Jensen Avenue | Jensen Avenue | Fresno County (City of | S.P. Co. & A.T.& S.F. |
| 2 | BK-517.15 | First Street | First Street | (Santa Ana (City of | A.T.& S.F. S.P. Co. |
| 3 | B-472.8 | Alameda Avenue | Alameda Avenue | (Burbank (City of | S.P. Co. |
| 4 | 2B-11.3-A A-222.63 | * | Ivy Street | (Riverside | A.T.& S.F. |
| 5 | A-222.66 2.1157.5-B | * | Floriston Road | Nevada County | S. P. Co. A.T.& S.F. |
| 6 | B-47.2-B | * | Willow Pass Road | Contra Costa County | S. P. Co. |
| 7 | E-40.7 | Lawrence Station Road | Lawrence Station Road | Santa Clara County (City of | S. P. Co. |
| 8 | A-10.67 | Buchanan Street | Buchanan Street | (Albany (City of | S. P. Co. |
| 9 | E-38.6 | Mathilda Avenue | Mathilda Avenue | (Sunnyvale | S. P. Co. |
| 10 | 2H-15.4-B | * | Aviation Boulevard | Los Angeles County (City of | A.T.& S.F. |
| 11 | E-20.3 | Hillsdale Boulevard | Hillsdale Boulevard | (San Mateo (Greater Bakers- (field Separation of Grade (District | S. P. Co. A.T. & S.F. |
| 12 | 2-887.6 | F Street | F Street | (City of | S. P. Co. |
| 13 | E-42.9 | Scott Boulevard | Scott Boulevard | (Santa Clara (City of | S. P. Co. |
| 14 | B-485.8 | Valley Boulevard | Valley Boulevard | (Los Angeles (City of | S. P. Co. |
| 15 | E-51.7 | Hillsdale Expressway | Hillsdale Expressway | (San Jose (City of | S. P. Co. |
| 16 | B-562.4 | Beaumont Avenue | Beaumont Avenue | (Beaumont (City of | S. P. Co. |
| 17 | B-610.9 | Jackson Street | Jackson Street | City of Indio | S. P. Co. |
| 18 | 2-144.5 | Downey Road | Downey Road | Los Angeles County | A.T.& S.F. |
| 19 | 3-17.9 | Hacienda Boulevard | Hacienda Boulevard | Los Angeles County | U.P. R.R. S. P. Co. |
| 20 | E-460.8 | Hollywood Way | Hollywood Way | City of Burbank | S. P. Co. |

| Priority No. | Crossing No.(s) | Street or Streets (existing crossings to be eliminated) | Street (separation) | Local Agency | Railroad |
|--------------|------------------------|---|----------------------|-----------------------|--------------------------|
| 21 | B-502.4 | Anaheim-Puente Road | Anaheim-Puente Road | Los Angeles County | S. P. Co. |
| 22 | 2-114.2 | Glendora Avenue | Glendora Avenue | City of Glendora | A.T. & S.F. |
| 23 | E-455.0 | Van Nuys Boulevard | Van Nuys Boulevard | City of Los Angeles | S. P. Co. |
| 24 | 6A-2.76-C | Alameda Street | Alameda Street | City of Los Angeles | P. E. Ry. |
| 25 | B-542.6 | Anderson Avenue | Anderson Avenue | San Bernardino County | S. P. Co. |
| 26 | 3B-1.42 2-139.6 | North Main Street | North Main Street | (City of Los Angeles) | U. P. RR. |
| 27 | 2-143.31-C 3-1.61-C | Washington Boulevard | Washington Boulevard | (City of Los Angeles) | A.T. & S.F. U. P. RR. |
| 28 | A-14.5 | 23rd Street | 23rd Street | (City of Richmond) | S. P. Co. |
| 29 | A-15.6 | Kearny Street | Kearny Street | (City of Richmond) | S. P. Co. |
| 30 | A-13.8 | Cutting Boulevard | Cutting Boulevard | (City of Richmond) | S. P. Co. |
| 31 | A-11.6 | Central Avenue | Central Avenue | (City of Richmond) | S. P. Co. |
| 32 | A-13.1 | So. 47th Street | So. 47th Street | (City of Richmond) | S. P. Co. |
| 33 | A-14.9-B | * | MacDonald Avenue | (City of Richmond) | S. P. Co. |

* Indicates Alteration of Existing Structure.

O R D E R

The Commission having on its own motion instituted the above investigation, public hearings having been held and the Commission being fully advised,

It Is Ordered that the Secretary shall furnish a true and correct copy of this decision and order to the State Department of Public Works.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 27th day of DECEMBER, 1961

Walter R. Rago
President
George T. Grover
Fredrick B. Haloboff

Commissioner C. Lyn Fox, being ⁶⁻ necessarily absent, did not participate in the disposition of this proceeding.

Commissioners