

ORIGINAL

Decision No. 63823

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation into the safety, use, and protection of the grade crossing of White Oak Avenue and the Burbank Branch of Southern Pacific Company in San Fernando Valley, City of Los Angeles, Crossing No. BY-454.4.

Case No. 7284

OPINION and ORDER

This investigation was instituted by the Commission on its own motion to determine whether or not the grade crossing of White Oak Avenue and the Burbank Branch of the Southern Pacific Company in San Fernando Valley, City of Los Angeles, being Crossing No. BY-454.4, was dangerous and hazardous to the safety of the public and to determine what improvements and maintenance, if any, at said crossing should be prescribed in the interest of such safety.

On March 15, 1962, the Commission set the matter for hearing before Examiner Mark V. Chiesa at Los Angeles, the hearing to be held April 10, 1962. Pending the hearing which was, in the meantime, continued to May 10, 1962, the City of Los Angeles and Southern Pacific Company entered into an agreement dated March 28, 1962 (Exhibit No. 2), whereby it was agreed, among other things, to "install two (2) California Public Utilities Commission Standard No. 3 flashing light signals supplemented

with additional flashing lights on 12-foot cantilever arms, together with actuating and operating circuits and adequate instrument housing at the crossing of White Oak Avenue, Crossing No. BY-454.44, over the tracks of Railroad at or near Encino, in the County of Los Angeles, State of California." Said agreement also provides that the said parties shall share equally "in the cost and expense incurred by Railroad in connection with the furnishing and installation of said Standard No. 8 flashing light signals with additional flashing lights on 12-foot cantilever arms and their appurtenances, and the removal of the existing Standard No. 1 crossing signs"; and that "after installation of said signals has been completed, Railroad shall physically maintain them so long as they may remain in place. The obligation to bear the cost of maintenance of said signals shall be determined or apportioned by subsequent agreement between the parties hereto or by applicable law. In the event there is no agreement between the parties, nor applicable law enacted prior to September 30, 1963, then either party hereto may file an application with the Public Utilities Commission of the State of California to seek a determination of this question by that body."

Upon the signing of said agreement the installation of said signals was immediately undertaken and completed and said improved crossing protection is now operative.

The purpose for which the investigation was instituted having, for the time being, been fulfilled,

IT IS ORDERED that Case No. 7224 be and it hereby is discontinued.

Dated at San Francisco, California, this 15th day of JUNE, 1962.

Walter R. [Signature]

President

John L. [Signature]

George H. [Signature]

Fredrick B. [Signature]

Commissioners

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