

ORIGINAL

Decision No. 67457

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of the CITY OF LOS ANGELES, a)
municipal corporation, to widen)
and improve Southern Pacific)
Company's Burbank Branch Line)
crossings of WOODMAN AVENUE and)
OXNARD STREET)

Application No. 46151
(Filed January 27, 1964)

Roger Arnebergh, City Attorney, by
William B. Burge, Deputy City
Attorney, for City of Los Angeles,
applicant.
E. D. Yeomans and Walt A. Steiger,
by Walt A. Steiger, for Southern
Pacific Company.
Lloyd C. Young, for Commission staff.

INTERIM OPINION AND ORDER

The City of Los Angeles seeks an order of this Commission authorizing it to widen and improve Southern Pacific Company's Burbank Branch Line crossings of Woodman Avenue and Oxnard Street, Crossing Numbers BY-459.4 and BY-459.5, respectively, and for the allocation of costs between the City and Southern Pacific, and for an interim order authorizing immediate commencement of this improvement under provisions of Sections 1201 to 1205 of the Public Utilities Code.

Public hearing was held before Examiner DeWolf on May 27, 1964, at Los Angeles. The matter was continued to September 23, 1964, at Los Angeles, at which time and place evidence will be received pertaining to the issue of apportioning the construction and installation costs at said crossings.

The application was amended without objection by any party by adding to paragraph 7, after the word "signals", before the colon, the words: "supplemented with flashing lights on a 12-foot cantilevered arm."

Evidence was introduced by the applicant and Southern Pacific on the questions of public convenience and necessity and the cost to be advanced by applicant for the proposed immediate widening and improvement of said crossing, and the matter was submitted on May 27, 1964, as to said questions.

Two city engineers testified on behalf of the applicant and identified exhibits which were received in evidence without objection as follows:

- Exhibit 1 - Plat of the two crossings.
- Exhibits 2, 3, 4, 5 and 6 - Photographs of said crossings.
- Exhibits 7, 8 and 9 - Charts of traffic counts and projected estimates.

The City witnesses outlined plans and specifications as set forth in the application, together with plans for handling traffic during construction.

A City engineer testified that public convenience and necessity require that the Woodman Avenue crossing be widened to a roadway width of approximately 77 feet and that the Oxnard Street crossing be widened to a roadway width of approximately 63 feet.

Applicant's witnesses testified to the traffic congestion at these two heavily traveled narrow crossings and Exhibit 8 sets forth that population will increase 42 per cent and the

vehicle per person ratio will increase 10 per cent by the year 1980, with a total 24-hour traffic count at that time of 32,800 at Woodman Avenue, and 18,900 at Oxnard Street. Both of the applicant's witnesses testified that the immediate widening and improvement of said crossings is necessary in order to eliminate the present traffic congestion at these crossings.

A public projects engineer testified on behalf of the respondent railroad to the amount of the cost of said widening and improvement and identified Exhibit 10, which was received in evidence and shows the total construction cost to the railroad to be the sum of \$20,610, and total increased maintenance to be \$5,160.

The issues involved here are the immediate public convenience and necessity for the proposed widening and improvement project and the approval of the location and the engineering plans, including provisions for handling traffic during construction and the work to be performed by each party and the sum to be advanced by the applicant for the work to be done by respondent.

The parties could not agree on the amount to be advanced for said project by the applicant and the evidence introduced by the applicant was not opposed.

After consideration, the Commission finds that:

1. Public convenience and necessity and safety require that the Southern Pacific Company's Burbank Branch Line crossings of Woodman Avenue and Oxnard Street, Crossing Numbers BY-459.4 and BY-459.5, be widened and improved as proposed.

2. The location and the engineering plans set forth in the application, together with provisions for handling traffic during

construction of not less than one lane each way, except during short periods of lowest peak traffic, are hereby approved.

It is concluded that the railroad's estimate of total construction cost in the amount of \$20,610 should be approved and that the sum of \$5,160 total increased maintenance should be disallowed on the grounds that maintenance is not a cost of construction to be considered in the advancements provided for in Section 1202.1 of the Public Utilities Code.

IT IS ORDERED that:

1. The City of Los Angeles is authorized to widen the Woodman Avenue Crossing No. BY-459.4 with the Southern Pacific railroad to approximately 77 feet and to widen the Oxnard Street Crossing No. BY-459.5 with the Southern Pacific railroad to approximately 63 feet.

2. The work required to be performed at said crossing between lines two feet outside of rails and the work of moving and installing flashing light signals shall be performed by the Southern Pacific Company.

3. The Woodman Avenue crossing shall be protected by four Standard No. 8 flashing light signals, two to be located in raised center dividers and two to be located in back of curbs. Back lights may be omitted from signals placed in center dividers. The Oxnard Street crossing shall be protected by two Standard No. 8 flashing light signals, supplemented with flashing lights on 12-foot cantilevered arms equipped with back lights.

4. The City of Los Angeles shall advance to the Southern Pacific Company the estimated construction cost of the work to be

performed by said railroad in the sum of \$20,610, and upon receipt of said sum, respondent shall arrange with the City to proceed with said work and integrate the same with the work of the City.

5. Within thirty days after the completion of the work hereinabove authorized, applicant and respondent shall notify the Commission in writing of the compliance with the conditions hereof.

6. The apportionment of construction costs are reserved for further hearing.

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

Dated at San Francisco, California, this 7th day of JULY, 1964.

Frederick B. Hallock
 President

[Signature]

[Signature]

George J. Grover

Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.