

ORIGINAL

Decision No. 68999

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF COSTA)
MESA to establish a grade cross-)
ing of Gisler Avenue (new) over)
and across an industrial drill)
track of the C. J. SEGERSTROM)
AND SONS Industrial Drill Track,)
approximately 600 feet east of)
Harbor Boulevard.)

Application No. 46816

Roy E. June, for the City of Costa Mesa,
applicant.

John H. Gordon, for Pacific Electric
Railway Company, interested party.

John P. Ukleja, for the Commission staff.

OPINION ON REHEARING

The City of Costa Mesa having applied for authority to establish a grade crossing at Gisler Avenue across an industrial drill track serving the warehouse and business of C. J. Segerstrom and Sons, the Commission issued its ex parte order (Decision No. 67993, dated October 6, 1964) authorizing the construction of the crossing, No. 6N-40.14-C, "construction to be equal or superior to Standard No. 2 of General Order No. 72. Protection shall be by two Standard No. 8 flashing light signals (General Order No. 75-B). Width of the crossing shall be 40 feet and grades of approach not greater than two percent in accordance with plan attached to the application."

It was further ordered that applicant shall bear all costs of construction and maintenance cost of the crossing outside of lines two feet outside of rails and that the Pacific Electric Railway Company shall bear maintenance cost of the crossing between such lines.

On October 22, 1964, the City filed a petition for rehearing on the grounds that the order requiring "protection shall be by two Standard No. 8 flashing signals" is erroneous and unreasonable because vehicular traffic is light, only one train per day is operated, Gisler Avenue is a short dead-end street serving a single-family residence area, visibility at crossing is excellent, and no accidents have occurred to date. Rehearing was granted by order issued on November 17, 1964.

Rehearing was held at Los Angeles on December 18, 1964, before Examiner Chiesa. Oral and documentary evidence having been adduced, the matter was submitted for decision.

The City's traffic engineer testified that the area north of Gisler Avenue will not be developed due to a freeway, soon to be constructed, which will parallel Gisler Avenue on the north thereby further preventing an increase in the volume of traffic using said crossing. The City proposes to improve present crossing protection by improving the street, placing proper markings on the roadway, and installing safety lighting. Said witness was of the opinion that said crossing protection would be adequate and safe in view of the limitations to further development, the fact that no accidents have occurred, the proposed upgrading of the crossing protection, and the nominal

train movements. The evidence further shows that most of the drivers residing in the area bounded by Harbor Boulevard, Gisler Avenue, Fairview Avenue and Baker Street, an area approximately one-half mile square, use Baker Street for access to Harbor Boulevard. The City's engineer was the only witness.

The evidence shows and we find as follows:

That the grade crossing of Gisler Avenue with a drill track of the Pacific Electric Railway Company in the City of Costa Mesa is situated approximately 500 feet easterly of the intersection of Gisler Avenue and Harbor Boulevard and approximately 160 feet westerly of the intersection of Gisler Avenue and College Avenue. The tracks cross at approximately a 45-degree angle. The street at said crossing is only partially improved and Gisler Avenue dead ends at College Avenue. Present protection is by two crossing signs, and the street is 40 feet wide at the crossing. The area in the immediate vicinity of Gisler Avenue and southerly thereof is residential. There is an elementary school nearby on College Avenue. A recent traffic count shows that approximately 500 cars daily pass over the crossing. The railroad operates one train daily, one way in each direction, at a speed of five to ten miles per hour.

The Commission concludes that the public safety and health require the installation and maintenance of crossing protection as hereinafter provided in the following amended order, and that the cost of construction and maintenance should be borne by the City and the Pacific Electric Railway Company as set forth therein.

ORDER ON REHEARING

IT IS ORDERED that the order in Decision No. 67993, Application No. 46816, dated October 6, 1964, be, and it hereby is, amended to read as follows:

City of Costa Mesa is hereby authorized to construct Gisler Avenue at grade across an industrial drill track in the City of Costa Mesa, Orange County, at the location described in the application to be identified as Crossing No. 6N-40.14-C.

Applicant shall bear all costs of construction and maintenance cost of the crossing outside of lines two feet outside of rails, and the Pacific Electric Railway Company shall bear maintenance cost of the crossing between such lines.

Width of crossing shall be 40 feet and grades of approach not greater than two per cent in accordance with plan attached to the application. Construction at the crossing shall be equal or superior to Standard No. 2 of General Order No. 72. Protection shall be by two No. 1 crossing signs (reflex reflecting sheet material added), General Order No. 75-3, and, in addition thereto, two lights of at least 20,000 lumens each.

Within thirty days after completion, pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall expire if not exercised within one

year unless time be extended or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

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

Dated at San Francisco, California, this 4th day of May, 1965.

Frederick B. Hallock
President
Arthur E. Mitchell
George E. Grover
Augusta
William L. Bennett
Commissioners