

ORIGINALDecision No. 70305

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 improve
and widen the existing crossing
at grade of Balboa Boulevard
across the tracks of the Southern
Pacific Company's Burbank Branch
Line.

Application No. 47861

Charles W. Sullivan, for applicant.
Randolph Karr, for the Southern Pacific Company;
Albert Zoraster, for the West Van Nuys
Chamber of Commerce, interested parties.
Lloyd C. Young, for the Commission staff.

O P I N I O N

By this application, the City of Los Angeles (City) seeks authority to widen and improve the Balboa Boulevard grade crossing (Crossing No. BY-455.2) over the Burbank Branch Line single track of the Southern Pacific Company (Railroad). In its application, City stated that it has been unsuccessful in attempting to negotiate an agreement with Railroad for the allocation of costs and that it will advance the amount necessary to enable Railroad to complete the alteration. City requested an interim order permitting the improvement and leaving for a further hearing the question of the apportionment of all costs. Railroad requested that the matter be set for public hearing.

Public hearing was held on December 14, 1965, before Examiner Mooney in Los Angeles.

Balboa Boulevard runs north and south in the San Fernando Valley area of Los Angeles. There is a paved, 36-foot wide crossing of Railroad's tracks at Balboa Boulevard. Balboa Boulevard is used as an access route between the Ventura Freeway, located south of the crossing, and certain highly developed residential areas, shopping centers, manufacturing concerns, schools and recreational facilities located to the north of the crossing. From Victory Boulevard, located approximately 100 feet north of the crossing, northerly to Lassen Avenue, a distance of approximately four miles, Balboa Boulevard is sufficiently improved to carry four lanes of traffic during peak hours. The section of Balboa Boulevard which is proposed to be widened carries, for the most part, only one lane of traffic in each direction. According to the application, a 24-hour traffic count taken in February 1964 shows that the traffic volume over the crossing is in excess of 16,000 vehicles daily.

Counsel for Railroad and counsel for City each stated that City and Railroad had resolved the major differences that existed between them regarding the proposed alteration and improvement and were in substantial agreement. They stipulated public convenience and necessity require the sought alteration and requested the Commission to authorize the alteration as proposed in the order with the modification that automatic gates be installed at the crossing. They stated that these parties are negotiating an agreement regarding the allocation of the costs involved and requested that the application be reopened for further hearing on the issue of allocation of costs in the event the negotiations are not successful.

Counsel for Railroad stipulated that City had available a witness who would, if called upon to testify, present evidence that would justify the proposed alteration.

An engineer from the Commission staff recommended that the four No. 8 flashing lights proposed in the application be supplemented with automatic crossing gates and that backlights and bells could be omitted from the signals on the medians. No request was made by City or Railroad for such an omission.

After consideration the Commission finds that:

1. The widening and improvement of Crossing No. BY-455.2 as proposed in the application is practicable and required by public safety and convenience.

2. Protection of the improved crossing should be by four Standard No. 8 flashing light signals (General Order No. 75-B), each to be supplemented with automatic crossing gates. Backlights, but not the bells, may be omitted from the signals on the medians.

3. City and Railroad are negotiating an agreement regarding the allocation of the costs involved.

Based upon the above findings, the Commission concludes that:

1. The application should be granted as requested, except that the protection should be modified as set forth in the order herein.

2. City should file with the Commission a copy of the executed agreement with Railroad covering allocation of costs of widening the crossing and installing the signal protection.

3. In the event City and Railroad are unsuccessful in negotiating an agreement regarding the allocation of such costs, the proceeding should be reopened for further hearing on the issue of allocation of costs.

O R D E R

IT IS ORDERED that:

1. The City of Los Angeles is authorized to widen and improve the grade crossing of the Burbank Branch Line track of the Southern Pacific Company at Balboa Boulevard (Crossing No. BY-455.2) substantially in the manner and in accordance with the plans set forth in Exhibit "A" to the application, subject to the conditions set forth herein.

2. The widened crossing at Balboa Boulevard (Crossing No. BY-455.2) shall be protected by four Standard No. 8 flashing light signals (General Order No. 75-B) each to be supplemented with automatic crossing gates. Backlights may be omitted from the signals on the medians. Such protection shall be placed in service before the alteration work is completed and the crossing is fully opened to vehicular traffic.

3. The City of Los Angeles shall file with the Commission a copy of the executed agreement with the Southern Pacific Company covering allocation of costs of improvements provided for herein.

4. In the event the City of Los Angeles and the Southern Pacific Company are unsuccessful in negotiating an agreement regarding allocation of the costs of improvements herein provided for, the application shall be reopened for further hearing on the issue of allocation of costs.

5. Within thirty days after completion of the improvements herein provided for, applicant shall advise the Commission in writing that the improvements have been completed.

6. The improvements herein provided for are to be completed within one year from the effective date of this order. 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 1st day of FEBRUARY, 1966.

Fredrick B. Bluff
President

John L. Mitchell

George H. Trover

Augusta

William W. Bernard
Commissioners