

**ORIGINAL**

Decision No. 71073

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF THE CITY OF INDUSTRY  
TO WIDEN CROSSING NO. 3-12.4 ON MISSION  
MILL ROAD AND TO DETERMINE THE TYPE OF  
PROTECTION AND THE APPORTIONMENT OF  
COSTS OF SAID ALTERATIONS AMONG THE  
PARTIES

}  
} Application No. 48434  
} Filed April 25, 1966

Richard W. Andrews, for the applicant.  
Marshall W. Vorkink, for Union Pacific Railroad  
Company, Interested Party.  
John P. Ukleja, for Commission Staff.

O P I N I O N

A public hearing on the above application was held before Examiner Rogers in Los Angeles on June 1, 1966. Evidence was presented and the matter was submitted.

The Mission Mill Road crossing of the Union Pacific Railroad Company's (railroad) single line of track, Crossing No. 3-12.4, is partly in the City of Industry, (City) and partly in Los Angeles County. Mission Mill Road is 20 feet in width. The crossing is 24 feet in width. There is one lane of travel in each direction. The crossing is protected by two Standard No. 8 flashing light signals. The city proposes to widen the street to 48 feet between the curbs and requests that the protection be upgraded to two Standard No. 8 flashing light signals supplemented with automatic crossing gates. It requests that the costs of the increased protection be split 50 percent to the Railroad and 50 percent to the governmental agencies.

The San Gabriel River Freeway runs in a northeast to southwest direction. Mission Mill Road is perpendicular to the

freeway and terminates at the southeast side thereof. It is approximately 1,000 feet from the freeway to the railroad's track which is approximately parallel to the freeway. Approximately 328 feet north or west of the railroad and parallel thereto there is a street known as Capitol Avenue extending northeast from Mission Mill Road. There is also another street known as Baybar Road between Capitol Avenue and the freeway also extending northeast from Mission Mill Road. The City of Industry and the County of Los Angeles have zoned a 53-acre parcel of land for industrial purposes. This industrial area extends from southwest of Mission Mill Road on the south to northeast of Mission Mill Road and between the railroad on the southeast to approximately the freeway on the northwest. The only development in the industrial area at present is composed of two industries. It is expected that other industries will acquire land in the area in the future.

The present traffic volume at the crossing is approximately 628 vehicles per day and the City estimates the traffic volume will increase to 10,000 vehicles per day when the area is fully developed, but no estimate of the time when this volume of traffic would be reached was given.

The City's sole reason for widening the crossing is to develop the said industrial area. The City witness stated that the widening of the crossing would be to the benefit of the City and the railroad, but admitted that the reason for the widening is to accommodate expected increased vehicular traffic to and from the industrial area as businesses locate therein.

The volume of train traffic is 36 trains per day. The authorized train speed is 65 miles per hour. The railroad has no

objectica to widening the crossing, but states that the existing Standard No. 8 flashing light signals are adequate protection, at least until the traffic volume reaches 6,000 to 7,000 vehicles per day.

The Commission staff developed by cross-examination the fact that the crossing is located on the 65 m.p.h. main line with 36 trains per day. The staff urged that the crossing be protected by two Standard No. 8 flashing light signals supplemented with automatic crossing gates in view of this fact and because the crossing is in an area of increasing development.

#### Findings

The Commission finds that:

1. Mission Mill Road is partly in the City of Industry and partly in the County of Los Angeles. It extends across the railroad to the San Gabriel Freeway at Crossing No. 3-12.4. The City of Industry and the County of Los Angeles have zoned a 63-acre tract adjacent to the crossing for industry. There are at present two industries in this tract. Industries will eventually fully occupy the area, but the time when this event will occur cannot be estimated. Present vehicular traffic at the crossing is less than 1,000 vehicles per day. This traffic will be 10,000 vehicles per day at some unknown future date.

2. Public need and convenience require the widening of the crossing as proposed by the City of Industry. The proposed method of construction and the proposed alteration of the crossing are reasonable and proper. The upgrading of the two Standard No. 8 flashing light signals to automatic crossing gates is reasonable and proper. Public health, safety, and welfare require that the crossing be protected by two Standard No. 8 flashing light signals supplemented with automatic crossing gates.

3. The City, County and Railroad will receive benefits from the increased protection at the crossing.

4. A separation of grades is not warranted at the crossing.

5. The cost of installing the improved protection at the crossing should be borne on the basis of 50 percent by the Railroad and 50 percent by local agencies and the cost of paving the widening portion of the roadway between lines two feet outside the rails should be borne 100 percent by the City.

6. The costs of preparing the tracks to receive paving at the widened portion of the crossing between lines two feet outside the rails and the costs of rehabilitating the existing roadway between lines two feet outside the rails should be borne 100 percent by the Railroad.

Conclusion

The Commission concludes that the application should be granted subject to the conditions set forth in the order herein.

O R D E R

IT IS ORDERED that:

1. The City of Industry is authorized to widen Mission Mill Road (Crossing No. 3-12.4) in accordance with the plans set forth in Exhibit B attached to the application.

2. The costs of preparing the tracks to receive paving for the existing and widening portions of the crossing and the costs of paving the crossing for the existing width thereof within lines two feet outside the rails shall be borne by the Railroad. The costs of paving outside the said existing area between lines two feet outside the rails shall be borne by the City.

3. The two Standard No. 8 flashing light signals now in place shall be replaced with two Standard No. 8 flashing light signals

supplemented with automatic crossing gates and such protection shall be placed in service before the alteration work is completed and the crossing fully opened to vehicular traffic. The installation costs of the crossing protection shall be apportioned 50 percent to the Railroad and 50 percent to the local agencies. The work of installing the railroad signal protection shall be performed by the Railroad.

4. The maintenance costs of the automatic crossing protection shall be apportioned 50 percent to the Railroad and 50 percent to the local agencies pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

5. The improvement and change herein provided for are to be completed within one year of the effective date of this order unless an extension of time is granted by the Commission.

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

Dated at San Francisco, California, this 2nd day of AUGUST, 1966.

[Signature]  
President

George T. Hoover

Fredrick B. Holdoff

[Signature]

[Signature]  
Commissioners