

ORIGINAL

Decision No. 71460

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 CAHUENGA BOULEVARD
at CHANDLER BOULEVARD across the
tracks of the Southern Pacific
Company's Burbank Branch Line
(Crossing No. BY-463.7).

Application No. 48545
(Filed June 6, 1966)

Roger Arnebergh, City Attorney, by
Charles E. Mattson, for applicant.
Randoiph Kerr and Walt A. Steiger, by
Walt A. Steiger, for Southern Pacific
Company, protestant.
John P. Ukleja, for the Commission staff.

O P I N I O N

The City of Los Angeles (City) seeks authority to widen the existing crossing at grade of Cabuenga Boulevard (Crossing No. BY-463.7) over the Southern Pacific Company (Southern Pacific) Burbank Branch Line. Further, the City requests that this Commission fix the just compensation to be paid for certain property interests required by the City for a public easement and right of entry upon the railroad right-of-way at the crossing. Appendix A attached hereto is a diagram showing details of the existing crossing and the proposed improvements.

Pursuant to Rule 41 of the Commission's Rules of Procedure prehearing conference was held before Examiner Robert Barnett on August 10, 1966, at Los Angeles, for the purpose of formulating the issues. At said conference both the City and

Southern Pacific agreed that the petition to fix just compensation go off calendar pending a determination of the issues raised by the application to widen the grade crossing. After such determination it was agreed that the City might reopen the proceedings and be heard on its petition to fix just compensation if, in the City's opinion, such a hearing is necessary to preserve its substantial rights.

Public hearing on the application to widen the grade crossing was held before Examiner Barnett at Los Angeles, on August 31, 1966, at which time the matter was submitted.

Cahuenga Boulevard is a secondary highway as shown on the City's Master Plan of Highways and Freeways. It presently consists of a roadway approximately 40 feet wide at the grade crossing of Southern Pacific's Burbank Branch Line. Condition of the pavement and a vertical curve at the crossing prevent efficient utilization of the entire roadway width and therefore traffic operation consists essentially of one lane in each direction on Cahuenga Boulevard at the grade crossing. The City proposes to widen Cahuenga Boulevard to a roadway width of 62 feet. Chandler Boulevard is a 40-foot frontage road which intersects Cahuenga Boulevard approximately 50 feet north of the railroad tracks. There are traffic control signals at the intersection of Cahuenga Boulevard and Chandler Boulevard.

Existing traffic volumes on Cahuenga Boulevard at the grade crossing are approximately as follows:

	<u>Northbound</u>	<u>Southbound</u>	<u>Total</u>
AM Peak Hour	350	450	800
PM Peak Hour	700	500	1200

A recent traffic count revealed a 24-hour volume of 11,123 vehicles.

The intersection of Cahuenga Boulevard and Chandler Boulevard serves a large percentage of heavy truck traffic, which makes frequent turning movements adjacent to and over the grade crossing. The substandard roadway at the crossing creates a bottleneck for traffic and the severe vertical curve greatly reduces sight distance for motorists approaching the crossing from opposite directions on Cahuenga Boulevard.

The crossing at Cahuenga Boulevard is in the predominantly industrial corridor that surrounds Southern Pacific's Burbank Branch Line in the San Fernando Valley. Projected growth is forecast for this industrial area which will contribute not only to traffic volume increases on Cahuenga Boulevard but on Chandler Boulevard as well. Improvement of the grade crossing is necessary at the present time in order to relieve the poor traffic conditions created by the existing narrow roadway and to provide for future growth. Moreover, the necessary widening of the Cahuenga Boulevard crossing will result in benefits to movements of heavy commercial traffic, including movements of goods to industries served by the railroad. Additionally, public safety will be gained by the reduction of the severity of the vertical curve at this grade crossing.

Under normal operations at the present time there is one train movement over the crossing in each direction seven days a week. The grade crossing is now protected by two Standard No. 8 flashing light signals. The traffic signals at the adjacent street intersection of Chandler Boulevard and Cahuenga Boulevard are coordinated with the train movements. There has not been a

vehicle-train accident at this crossing in the last five years.

The City, Southern Pacific, and the Commission staff agree that the grade crossing should be improved in accordance with the City's proposal and that the improved crossing should be protected by two Standard No. 8 flashing light signals augmented by automatic gates with predictors. The only controversy in this case is over the apportionment of the costs of the improvements. The City recommends that it bear 50 percent of the cost of the signal work required on the automatic protection and 100 percent of the cost of paving or planking the widened portion of the roadway; the railroad bear 100 percent of the cost of preparing the track to receive paving or planking and the cost of paving or planking within the existing traveled roadway portion of the crossing. The Commission staff supports the City's proposal.

Southern Pacific contends that the City should pay the total cost of the additional protection required because the grade crossing is widened. If this were a case of merely improving the protection at an existing grade crossing, without the need to widen the crossing, Southern Pacific would be willing to share the costs of the improvements on a 50-50 basis. However, the widened crossing will require larger gates on heavier foundations than would be required if improved protection were installed at the existing crossing. It is Southern Pacific's contention that the difference in cost between the larger gates and heavier foundations required by the widened crossing and the smaller gates and foundation that would be installed if the crossing were not widened

should be paid 100 percent by the City. This difference is approximately \$3,290. It is Southern Pacific's opinion that it gets no benefit from the widened crossing and therefore should not share in the costs attributable to the widening.

In Application of City of Compton (Decision No. 71071 in Application No. 47384, dated August 2, 1966), Southern Pacific made the same contention as to apportionment of costs. The Compton case also involved improved protection at a widened crossing. In that case we held that both Compton and Southern Pacific would benefit from the improved grade crossing protection and should share the costs equally. The facts adduced in the case at bar compel a similar result.

Findings of Fact

1. The City proposes to widen Cahuenga Boulevard across the tracks of Southern Pacific's Burbank Branch Line to relieve poor traffic conditions created by the existing narrow roadway and to provide for future growth.
2. Public convenience, necessity, and safety require that the Cahuenga Boulevard crossing be protected by two Standard No. 8 flashing light signals, each augmented by automatic gates with predictors.
3. Both the City and Southern Pacific will benefit from the improved grade crossing protection.
4. Costs should be apportioned as set forth in the ensuing order.

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

O R D E R

IT IS ORDERED that:

1. The City of Los Angeles is authorized to widen Cabuenga Boulevard across the tracks of the Southern Pacific Company (Crossing No. BY-463.7) in accordance with the plans set forth in its application.

2. There shall be installed at the crossing two Standard No. 8 flashing light signals each augmented by automatic gates with predictors.

3. The railroad signals and adjacent traffic signals shall be interconnected so that in the preemption phase initiated by an approaching train, the traffic signals regulating movement of traffic from the crossing area shall first display a green interval of sufficient length to clear all vehicles from the track area.

4. The installation costs of the grade crossing protection shall be apportioned equally between applicant and the Southern Pacific Company.

5. The maintenance costs of the grade crossing protection shall be apportioned equally between applicant and the Southern Pacific Company.

6. The Southern Pacific Company shall bear 100 percent of the costs of preparing track necessary within the limits of the widened crossing, and any paving work within lines two feet outside of outside rails in the existing crossing.

7. Applicant shall bear 100 percent of all other costs of widening the crossing and approaches including the cost of traffic signal coordination.

8. The Southern Pacific Company shall bear the cost of maintenance of the widened crossing within lines two feet outside of outside rails and applicant shall bear the maintenance costs of the crossing and approaches outside of said lines.

9. Within thirty days after completion of the work herein authorized, the City of Los Angeles and the Southern Pacific Company shall each notify the Commission in writing of its compliance with the conditions hereof.

10. All crossing protection and coordination thereof specified in this order shall be fully installed, completed, and placed in operable condition before the widened crossing is fully opened to the public.

11. The improvements and changes herein provided for are to be completed within one year of the effective date of this order unless time is extended.

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

Dated at San Francisco, California, this 25th
day of OCTOBER, 1966.

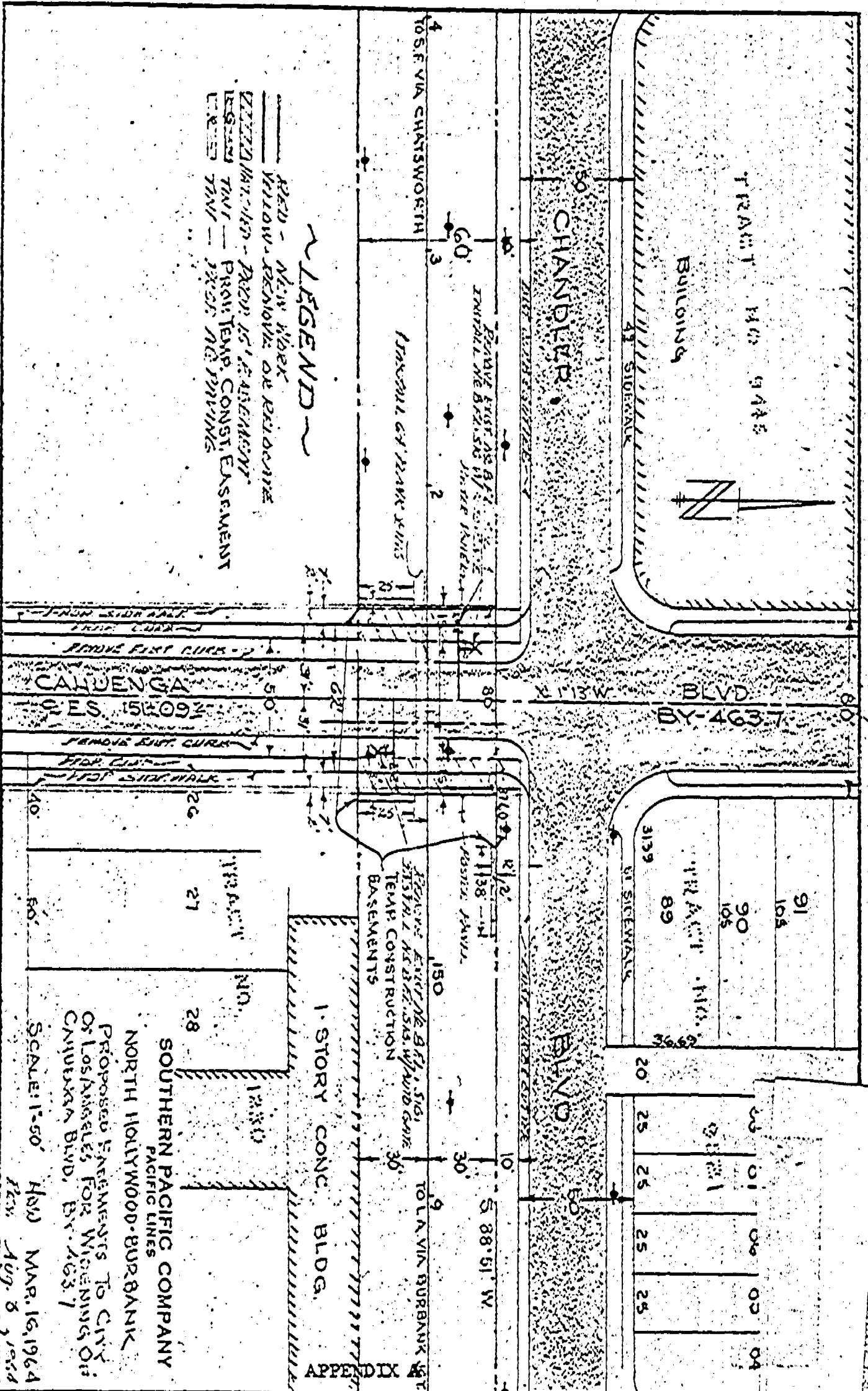
[Signature]
President

George E. Hoover

Friedrich B. Halbach

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Commissioners



APPENDIX A

SOUTHERN PACIFIC COMPANY
 NORTH HOLLYWOOD-BURBANK
 PROPOSED EASEMENTS TO CITY
 OF LOS ANGELES FOR WIDENING OF
 CALUENGA BLVD, BY 463.7'

MAR. 16, 1964
 AUG. 8, 1964