

**ORIGINAL**

Decision No. 71772

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Santa Fe Springs, a General Law City, for Authority to Re-Open DeCosta Avenue, a Public Highway, at Los Nietos Avenue, at Grade Across Tracks of Southern Pacific Company (Crossing No. 6C-14.16) in the City of Santa Fe Springs.

Application No. 48496  
(Filed May 19, 1966)

William Camil, for the City of Santa Fe Springs, applicant.  
Randolph Karr, Walt A. Steiger, by William E. Still, for the Southern Pacific Company, protestant.  
John P. Ukleja, for the Commission staff.

O P I N I O N

Applicant seeks authority to establish a crossing at grade at DeCosta Avenue in the City of Santa Fe Springs over the Southern Pacific Company's (Southern Pacific) tracks (Crossing No. 6C-14.16). Attached Appendix A is a diagram showing the proposed crossing and vicinity. Public hearing was held before Examiner Robert Barnett at Los Angeles on October 27, 1966, at which time the matter was submitted.

The DeCosta Avenue crossing now proposed to be opened was ordered closed by this Commission concurrently with the opening of the Pioneer Boulevard crossing at Los Nietos Road. (Decision No. 60315 dated June 28, 1960 in Application No. 40725.) The DeCosta Avenue crossing was actually closed December 12, 1963. In Decision No. 60315 at sheet 6 we said, 'With the opening of the Pioneer Boulevard site (this) DeCosta Avenue (crossing serves) a slight utilitarian purpose. Because of (its) design, profile and

curvature (it presents) a potential safety hazard." There are from six to twelve train movements a day over the proposed crossing.

Applicant's Evidence

Applicant presented the testimony of its Director of Public Works and two members of the public in support of its application.

The Director testified that the proposed crossing would establish a new and needed link between Rivera Road, to the north, and Los Nietos Road, to the south, of DeCosta Avenue. The area to be served is approximately eleven acres of which approximately three acres are to the east of DeCosta Avenue. This area is zoned for industrial use and is completely undeveloped except for one residence on the east side of DeCosta Avenue. The only access to this area is from Rivera Road on the north over the DeCosta Avenue crossing of The Atchison, Topeka and Santa Fe Railway Company (Santa Fe) tracks. Because this access is inadequate the area involved is not properly serviceable by the City for police, fire, and other municipal services. The City proposes to reopen the crossing to its old width of 40 feet with approximately the same grades and curvatures that it had prior to closure; it is to be protected by two No. 8 flashing light signals. The witness admitted that if the crossing were built to the City's specifications it could not be considered a safe crossing. There is a partially developed east-west street extending approximately 35 percent of the distance from Pioneer Boulevard toward DeCosta Avenue. The City has attempted to complete development of this street to DeCosta Avenue but high costs prevent it.

The two public witnesses own and occupy the one residence in the area which would benefit from the reopening. These witnesses testified that many problems have occurred since the DeCosta Avenue

crossing was closed. Approximately two or three times a month Santa Fe trains block the DeCosta Avenue crossing near Rivera Road for long periods of time; sometimes this blockage lasts for hours and, when it does, no vehicles can enter or leave the area. During the rainy season this crossing is not passable; cars must be left on Rivera Road. And last, but certainly not least, since the crossing was closed the property has declined in value and is difficult to sell.

#### Protestant's Evidence

Protestant presented its Public Projects Engineer who testified that the old DeCosta Avenue crossing at Los Nietos Road was typical of unplanned grade crossings. It was too narrow, poorly designed, unsafe, and was given a minimum of maintenance. The proposed crossing will not be much of an improvement and, if the City's plans are followed, would be substandard in the light of present construction standards. The crossing, if opened, should be protected by automatic gates; grades of approach should be reconstructed; traffic lights must be added and coordinated with the crossing protection; Los Nietos Road must be raised and improved; and much work is required to prepare the tracks. But, in any case, the crossing is not needed; the present access through Rivera Road is adequate and it would be cheaper and safer to construct a road from Pioneer Boulevard to DeCosta Avenue than to build a safe grade crossing. The witness recommends that the application be denied.

The Commission staff recommends that the application be denied for the same reasons advanced by protestant.

#### Findings of Fact

1. The grade crossing as proposed by applicant would be unsafe.
2. Only one family would be benefited by opening the proposed grade crossing.

3. Better access to the area, to provide for future industrial growth, can be obtained by constructing a street from Pioneer Boulevard to DeCosta Avenue; such a street would be cheaper to build, and safer, than an adequate and safe grade crossing at DeCosta Avenue.

4. Public convenience and necessity do not require the re-opening of DeCosta Avenue at grade.

Based on the foregoing findings of fact the Commission concludes that the application should be denied.

O R D E R

IT IS ORDERED that the application is denied.

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

Dated at San Francisco, California, this 29<sup>th</sup> day of DECEMBER, 1966.

[Signature]  
President  
George T. Hoover  
[Signature]

Commissioners

Commissioner Frederick E. Holobor did not participate in the disposition of this proceeding.

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