

ORIGINAL

Decision No. 73227

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation into the status, safety, maintenance, use and protection or closing of all crossings at grade on the Harbor Branch Line of THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY between Los Angeles and Wilmington in the County of Los Angeles and the Cities of Los Angeles, Vernon, Huntington Park, Inglewood, El Segundo, Hawthorne, Redondo Beach, Lawndale and Torrance.

Case No. 8437
(Filed June 8, 1966)

Neal W. McCrory, for The Atchison, Topeka & Santa Fe Railway Company; Roger Arnebergh, City Attorney, by Charles E. Mattson, for City of Los Angeles; George D. Moe, Melvin R. Dykman and William Sherwood, for State of California Department of Public Works; David D. Grayson, for City of Vernon, Eugene Bourbonnais and Charles Glass, for City of Torrance; Benton L. James, for City of Inglewood; Charles W. Sutton, for City of Lawndale; and John H. Allen, for City of El Segundo; James H. Mitsch, for City of Hawthorne; Jerald Wheat, Richard Andrews, and Gerald A. Jensen, for Los Angeles County; respondents. G. R. Mitchell, for Brotherhood of Locomotive Engineers; and S. E. Christman, for Weber Showcase & Fixture Company; interested parties. Elinore C. Morgan, Counsel, and William L. Oliver, for the Commission staff.

O P I N I O N

The Commission instituted an investigation on its own motion into the status, safety, maintenance, use, and protection or closing of 98 grade crossings on the Harbor Branch Line of The Atchison, Topeka and Santa Fe Railway Company (Santa Fe) between Los Angeles and Wilmington in the County of Los Angeles.

A prehearing conference was held on May 23, 1967, and public hearing was held on August 1, 1967 at Los Angeles before Examiner Robert Barnett, at which time the matter was submitted.

At the prehearing conference it was stipulated that this case would concern 36 grade crossings, as enumerated; and if necessary the case would be reopened for further hearing as to the remaining crossings.

<u>Crossing Number</u>	<u>Street Name</u>	<u>Governmental Agency</u>		
2H-3.8	McKinley Avenue	Los Angeles City		
3.9	Paloma Avenue	"	"	"
4.1	Avalon Boulevard	"	"	"
4.2	Towne Avenue	"	"	"
4.3	San Pedro Street	"	"	"
4.6	Main Street	"	"	"
4.8	Broadway	"	"	"
5.1	Figueroa Street	"	"	"
5.3	Hoover Street	"	"	"
5.8	Budlong Avenue	"	"	"
6.1	Normandie Avenue	"	"	"
6.3	Denker Avenue	"	"	"
6.6	Western Avenue	"	"	"
13.1	Imperial Highway	"	"	"
2H-2.0	58th Street	Los Angeles County		
2.1	Santa Fe Avenue	"	"	"
2.7	Holmes Avenue	"	"	"
2.83	Long Beach Avenue	"	"	"
3.1	Compton Avenue	"	"	"
3.3	Hooper Avenue	"	"	"
24.8	Figueroa Street	"	"	"
2.5	Alameda Street	"	"	"
		Vernon		and

<u>Crossing Number</u>	<u>Street Name</u>	<u>Governmental Agency</u>
2H-0.7	37th Street	Vernon
1.0	Pacific Boulevard	"
1.5	Fruitland Avenue	"
2H-9.1	Centinela Avenue	Inglewood
10.62	La Cienega Boulevard	"
11.6	Arbor Vitae Street	"
10.2	Cedar Avenue	"
(10.1	N. Inglewood Avenue) (Recommended to be closed)	"
2H-11.1	Manchester Avenue (St. Rte. 42)	State Highway
2H-14.1	El Segundo Boulevard	El Segundo
2H-16.8	Manhattan Beach Blvd.	Lawndale
17.1	162nd Street	"
17.6	170th Street	"
2H-18.4	182nd Street	Torrance

The staff recommendations as to protection at these 36 crossings are that:

1. Signal protection consisting of automatic crossing gates supplemented by Standard No. 8 flashing light signals be installed at all 36 grade crossings enumerated above (except that Crossing No. 2H-10.1 (North Inglewood Avenue) in the City of Inglewood be closed and barricaded to vehicular traffic upon the installation of automatic gates at Crossing No. 2H-10.2 (Cedar Avenue)) over a period of three years at a rate of 12 crossings annually.

2. The cost of installing such protective devices be allocated 50 percent to the railroad and 50 percent to the public agency involved. Where more than one public agency is involved at a crossing, the latter 50 percent be divided equally between the affected public agencies, except in the case of agreement otherwise.

3. Maintenance cost of automatic protection should be divided between the railroad and the public agencies involved in the same proportion as the installation cost is allocated, pursuant to Section 1202.2 of the Public Utilities Code.

4. Where traffic signals are in operation at an adjacent street intersection, such signals, upon pre-emption, should display an adequate clearance interval so as to allow vehicles to clear the track area.

The staff, Santa Fe, and the public agency or agencies concerned stipulated that the staff recommendations would be accepted on all crossings except the following:

2H-3.8	McKinley Avenue
3.9	Paloma Avenue
4.2	Towne Avenue
6.3	Denker Avenue
13.1	Imperial Highway
24.8	Figueroa Street
2.5	Alameda Street
18.4	182d Street
0.7	37th Street
1.0	Pacific Boulevard
1.5	Fruitland Avenue

At the prehearing conference the City of Torrance agreed to the staff's recommendations concerning Crossing No. 2H-18.4 (182d Street) but claimed that the crossing was 50 percent in the City of Redondo Beach and, therefore, Redondo Beach should share in the cost of construction and maintenance. The City of Torrance was ordered to serve notice of its position on the City of Redondo Beach, together with notice of hearing in this matter, which was done.

Matters which could not be disposed of by stipulation were to be considered at the hearing on August 1, 1967.

At the August 1 hearing the following stipulations were entered: the staff, Santa Fe, and City of Vernon agreed to accept the staff's recommendations as to Crossings No. 2H-0.7 (37th Street), 2H-1.0 (Pacific Boulevard) and 2H-1.5 (Fruitland Avenue) and also stipulated that Santa Fe would install motion detectors on all three crossings. It was further agreed that Crossing No. 2H-8.0 (Crenshaw Boulevard) be substituted in place of Crossing No. 2H-13.1 (Imperial Highway) because a new freeway is expected to cross near the Imperial Highway grade crossing which will create clearance problems that cannot be anticipated now.

Evidence was taken concerning the problems at the crossings where no final agreement was reached. At all these crossings the public agency, the Santa Fe, and the staff agreed that automatic gates augmented by Standard No. 8 flashing lights should be installed. However, for various reasons, which will be discussed below, they could not agree on the details of the installations and further negotiations between the parties or an order of the Commission will be required to settle the matters.

Crossing No. 2H-3.8 (McKinley Avenue)

This crossing involves Slauson Avenue in the City of Los Angeles. There does not appear to be enough space between the edge of the track and the curb of Slauson Avenue to install automatic gates and at the same time comply with existing Commission General Orders. Three solutions to the problem under consideration are, 1) flare the curb and encroach on street space needed for vehicles, 2) move the track, or 3) try to fit the gate mechanism into the available space; other solutions may appear after the engineers make further studies.

Crossing No. 2H-3.9 (Paloma Avenue)

The problem at this crossing is where to put the signals. Weber Showcase and Fixture Company, Inc. has offices near the crossing and has an access road adjacent to the crossing opening into Paloma Avenue. The installation of automatic gates at this crossing would encroach on the driveway of the company. The Assistant Controller of the company testified that his company wanted the improved protection as they have continuous traffic in and out of their shipping department, which traffic utilizes the driveway. The company has no objection to its driveway being partially blocked, the installation of signal equipment would not interfere with any traffic going in and out. The company would make changes in the driveway to accommodate the protection.

Crossing No. 2H-4.2 (Towne Avenue)

The problem at Towne Avenue is similar to that at Paloma Avenue. At Towne Avenue the driveway of the Western Alloys Metals Company would be encroached upon by the installation of automatic gates. No appearance was made by a representative of Western Alloys although they were given notice of this hearing by the Commission. However, in June 1967 a staff engineer spoke to the manager of the company who told him that the company was anxious to get crossing protection at this location and that they would not hesitate to allow the installation of the signal even though it might encroach on the driveway. A staff engineer testified that encroachment could be avoided by moving a railroad switch approximately 150 feet.

Crossing No. 2H-6.3 (Denker Avenue)

This crossing involves a problem similar to that at McKinley Avenue. There does not appear to be enough space between the edge of the track and the curb of Slauson Avenue to install the automatic gates and also comply with existing Commission General Orders. At this crossing the Santa Fe has agreed to remove some track in order to accommodate the signal. Santa Fe and the City of Los Angeles agreed that they would share the cost of removal of the track 50-50.

Crossing No. 2H-2.5 (Alameda Street)

The engineers working on this crossing have not yet agreed on the proper location for the installation of the protective devices. At this time the solution of this problem will be left to the engineers. If they cannot agree the matter may be reopened for further hearing to determine unresolved issues. Another concern at this crossing is the apportionment of costs. The City of Vernon and the County of Los Angeles are the public agencies involved and they do not wish to be bound by a strict formula for apportioning costs. Our order will permit the flexibility they desire.

Crossing No. 2H-18.4 (182d Street)

The only issue presented in connection with this crossing concerns the number of public agencies that should share the cost of construction. The City of Torrance claims that the public agency share of the costs should be divided equally between the City of Torrance and the City of Redondo Beach. The City of

Redondo Beach was served with notice of the position of the City of Torrance and the date of this hearing; they did not appear. An engineer for the City of Torrance introduced evidence that at the point where the crossing is to be improved the northerly half of 182d Street is in the City of Redondo Beach and the southerly half is in the City of Torrance.

Crossing No. 2H-24.8 (Figueroa Street)

There is a conflict at this crossing between the County of Los Angeles and Santa Fe as to whether at the time of installing the improved protection it will also be necessary to widen the street and provide a raised median. If this were done it could cost the County an additional \$20,000. The County wants more time to consider the problem and negotiate with Santa Fe.

Findings of Fact

1. Public convenience and necessity, welfare, health, and safety require the installation of the improved railroad crossing protection set forth in the order herein at the crossings listed in paragraph 1 of the order on or before the date specified in said paragraph.
2. Crossing No. 2H-10.1 (North Inglewood Avenue) should be closed and barricaded to vehicular traffic upon the installation of automatic gates at Crossing No. 2H-10.2 (Cedar Avenue).
3. Costs of construction and maintenance should be allocated as set forth in the following order.

4. Where traffic signals are in operation at an adjacent street intersection, such signals, upon pre-emption, should display an adequate clearance interval so as to allow vehicles to clear the track area.

5. Santa Fe should install motion detectors at Crossing Nos. 2H-0.7 (37th Street), 2H-1.0 (Pacific Boulevard), and 2H-1.5 (Fruitland Avenue.)

6. Weber Showcase and Fixture Company, Inc. has offices adjacent to Crossing No. 2H-3.9 (Paloma Avenue) and has an access road adjacent to the crossing and opening into Paloma Avenue. The installation of automatic gates at this crossing would encroach on the driveway of the company. However, the company wants the improved protection as they have continuous traffic in and out of their shipping department, which traffic utilizes the driveway, and, consequently, it has no objection to its driveway being partially blocked. The installation of signal equipment would not interfere with any traffic going in and out. The company will make changes in its driveway to accommodate the protection.

7. Crossing No. 2H-4.2 (Towne Avenue) is near the driveway of the Western Alloys Metals Company. The installation of automatic gates at this crossing might encroach on the driveway of the company unless a railroad switch is moved approximately 150 feet. Further investigation is needed to determine a feasible plan of installation that will be satisfactory to all parties.

8. At Crossing No. 2H-6.3 (Denker Avenue) track must be removed to accommodate the signal equipment. Santa Fe and the City of Los Angeles have agreed to share the cost of such removal 50-50.

9. Crossing No. 2H-18.4 (182d Street) is one-half in the City of Redondo Beach and one-half in the City of Torrance. Both cities were notified of the hearing in this case and that they might be required to share in the cost of installation of grade crossing protection. The public agency share of the costs of improving Crossing No. 2H-18.4 should be divided equally between the City of Torrance and the City of Redondo Beach.

Conclusion

The Commission concludes that the crossing protection set forth in the following order be installed.

O R D E R

IT IS ORDERED that:

1. The Atchison, Topeka and Santa Fe Railway Company shall, within three years from the date of this order, install signal protection consisting of automatic crossing gates supplemented by Standard No. 8 flashing light signals at each of the following grade crossings:

2H-3.8	McKinley Avenue
3.9	Paloma Avenue
4.1	Avalon Boulevard
4.2	Towne Avenue
4.3	San Pedro Street
4.6	Main Street
4.8	Broadway
5.1	Figueroa Street
5.3	Hoover Street
5.8	Budlong Avenue
6.1	Normandie Avenue
6.3	Denker Avenue
6.6	Western Avenue
8.0	Crenshaw Boulevard
2.0	58th Street
2.1	Santa Fe Avenue

2H-2.7	Holmes Avenue
2.83	Long Beach Avenue
3.1	Compton Avenue
3.3	Hooper Avenue
24.8	Figueroa Street
2.5	Alameda Street
0.7	37th Street
1.0	Pacific Boulevard
1.5	Fruitland Avenue
9.1	Centinela Avenue
10.62	La Cienega Boulevard
11.6	Arbor Vitae Street
10.2	Cedar Avenue
11.1	Manchester Avenue
	(St. Rte. 42)
14.1	El Segundo Boulevard
16.8	Manhattan Beach Blvd.
17.1	162d Street
17.6	170th Street
18.4	182d Street

2. Santa Fe shall install motion detectors at Crossings Nos. 2H-0.7 (37th Street), 2H-1.0 (Pacific Boulevard), and 2H-1.5 (Fruitland Avenue). Santa Fe may install motion detectors at other crossings.

3. The cost of installing such protective devices and motion detectors shall be allocated 50 percent to the railroad and 50 percent to the public agency or agencies involved. Where more than one public agency is involved at a crossing, the latter 50 percent shall be divided equally between the affected public agencies, except in the case of agreement otherwise.

4. The cost of installing protective devices at Crossing No. 2H-18.4 (182d Street) shall be allocated 50 percent to the railroad, 25 percent to the City of Torrance and 25 percent to the City of Redondo Beach.

5. Maintenance cost of automatic protection shall be divided in the same proportion as the installation cost is apportioned between the railroad and the public agency or agencies involved pursuant to Section 1202.2 of the Public Utilities Code.

6. Where traffic signals are in operation at an adjacent street intersection, such signals, upon preemption, shall display an adequate clearance interval so as to allow vehicles to clear safely the track area.

7. The cost of removal of track at Crossing No. 2H-6.3 (Denker Avenue) shall be divided equally between the railroad and the City of Los Angeles.

8. Crossing No. 2H-10.1 (North Inglewood Avenue) shall be closed and barricaded to vehicular traffic upon the installation of automatic gates at Crossing No. 2H-10.2 (Cedar Avenue).

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

Dated at San Francisco, California, this 24th day of OCTOBER, 1967.

[Signature]
President

[Signature]

[Signature]

[Signature]
Commissioners