

Decision No. 74244

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of the STATE OF CALIFORNIA, acting)
by and through the Department of)
Public Works, for an order author-)
izing removal of Depot Building)
and relocation of Freight Unloading)
Facilities at Arcadia, County of)
Los Angeles, State of California.)

Application No. 50067
(Filed March 4, 1968)

O P I N I O N

By this application filed March 4, 1968, the State of California, through the Department of Public Works requests that the Commission issue an order authorizing The Atchison, Topeka and Santa Fe Railway Company, hereinafter sometimes called Railroad, to abandon the depot building designated as the Santa Anita Station, and to relocate two platforms utilized by the Railroad primarily for the purpose of loading and unloading railroad cars containing horses to be raced at the nearby Santa Anita Race Track.

In support of the application applicant alleged that applicant has heretofore filed an action in eminent domain to condemn the parcel of land owned by the Railroad on which is located said depot building and the two loading and unloading platforms. The station and platform facilities must be removed in order to permit the improvement of a portion of State Highway Route 210. Applicant further alleged that the station building is not presently used for the receipt or delivery of freight or passengers and is not required for the performance of the Railroad's common carrier duties, and that the platforms can be relocated on the Railroad's right-of-way, as shown on Exhibit A attached to the application, where the loading

and unloading of horses in connection with the Santa Anita Race Track activities can be carried on with equal convenience to the public and to the shippers of such horses.

Plans for the proposed project have been prepared in cooperation with the Railroad which is agreeable to said abandonment and relocation. The project will be financed with State funds, and the expense of the work will be apportioned in accordance with agreements negotiated between the Railroad and the applicant, or in the event the parties fail to agree, such expenses will be apportioned as provided by law.

By letter dated April 12, 1968 to the Commission, the applicant advised that it has no objection to the Public Utilities Commission including in its ex parte order that applicant is not to remove or demolish the depot building prior to August 1, 1968, provided, however, that said building may be removed prior to such date, either by applicant or the City of Arcadia pursuant to agreement between the said city and applicant. Such letter is hereby made a part of the record in this proceeding as Exhibit No. 1.

No protests to the application have been filed with the Commission.

The Commission finds that public convenience and necessity no longer require the maintenance by the Railroad of the depot building, designated as the Santa Anita Station, and that public convenience and necessity permit the abandonment and removal of said depot building and require the relocation of the two horse loading and unloading platforms, as shown on Exhibit A attached to the application. The application will be granted. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. The Atchison, Topeka and Santa Fe Railway Company is authorized to abandon and permit the removal or demolition of its depot building, designated as the Santa Anita Station, in the City of Arcadia, Los Angeles County, California, subject to the following conditions:

- (a) The Atchison, Topeka and Santa Fe Railway Company shall give not less than ten days' notice to the public of the abandonment of said depot building by posting notice thereof at the depot;
- (b) Appropriate changes to indicate this authorization shall be made in the tariffs and timetables of The Atchison, Topeka and Santa Fe Railway Company currently in effect upon not less than ten days' notice to the Commission and to the public;
- (c) The State of California through the Department of Public Works may remove or demolish said depot building on or after August 1, 1968; provided that said depot building may be removed or demolished prior to August 1, 1968, either by the State of California or the City of Arcadia pursuant to agreement between the State of California and the City of Arcadia;
- (d) Within thirty days after the removal or demolition of the depot building as herein authorized, the State of California through the Department of Public Works shall notify the Commission thereof.

2. The Atchison, Topeka and Santa Fe Railway Company is authorized to relocate the two platforms in Los Angeles County used for the loading and unloading of horses, as shown on Exhibit A attached to the application herein, subject to the following conditions:

- (a) The Atchison, Topeka and Santa Fe Railway Company shall give not less than ten days' notice to the public of the relocation of said two platforms by posting notice thereof on each of said platforms.

(b) Within thirty days after the relocation of said loading and unloading platforms as herein authorized, The Atchison, Topeka and Santa Fe Railway Company shall notify the Commission thereof and of compliance with the above conditions.

3. The expense of the removal of the depot building and the relocation of the two loading and unloading platforms shall be apportioned between the State of California and The Atchison, Topeka and Santa Fe Railway Company in accordance with agreements now being negotiated between the State of California through the Department of Public Works and The Atchison, Topeka and Santa Fe Railway Company, or in the event the parties fail to agree, such expenses will be apportioned pursuant to further order of this Commission.

4. The authorizations herein granted shall expire if not exercised within one year after the effective date hereof.

This order shall become effective twenty days after the date hereof.

Dated at Los Angeles, California, this 11th day of JUNE, 1968.

[Signature]
President

[Signature]
[Signature]
[Signature]
Commissioners

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