

**ORIGINAL**

Decision No. 74305

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 widen  
and improve the Kester Avenue  
grade crossing of Southern Pacific  
Company's Burbank Branch Line  
North of Oxnard Street (Crossing  
No. BY-457.9).

Application No. 49891  
(Filed December 20, 1967)

Roger Arnebergh, by Charles E.  
Mattson, for the City of  
Los Angeles; and Leslie E.  
Corkell, for Department of Public  
Utilities and Transportation of  
The City of Los Angeles, applicant.  
Randolph Karr, for Southern Pacific  
Company, protestant.  
Ronald I. Hollis, for the Commission  
staff.

O P I N I O N

The City of Los Angeles seeks to widen and improve Kester Avenue and relocate and improve the protection at Crossing No. BY-457.9 across the tracks of the Southern Pacific Company.

Public hearing was held before Examiner DeWolf at Los Angeles on February 28, March 18, and April 5, 1968, and the matter was submitted.

By letter dated April 30, 1968, the applicant stated that the parties had reached an agreement on disputed matters and the Southern Pacific Company, by letter dated May 3, 1968, withdrew its protest and objections to issuance of an ex parte order authorizing the crossing improvement.

O R D E R

IT IS ORDERED that:

1. The City of Los Angeles is hereby authorized to widen and improve Kester Avenue Crossing No. BY-457.9 across the track of the Southern Pacific Company railroad line, as described and substantially as shown in the application.

2. The widened crossing at Kester Avenue No. BY-457.9 shall be protected by two Standard No. 8 flashing light signals, supplemented with automatic gate arms as specified in the application, and placed in service before the alteration work is completed and the crossing is fully opened to traffic.

3. The cost of installation and relocation of the crossing protection shall be divided equally between the city and the railroad. Construction expense of the crossing shall be borne in accordance with an agreement entered into between the parties. Maintenance cost of the crossing outside of lines two feet outside of rails shall be borne by applicant. The Southern Pacific Company shall bear maintenance cost of the crossing between such lines. Maintenance cost of the automatic crossing protection shall be divided equally between the city and the railroad, pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

4. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This

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authorization shall expire if not exercised within one year unless time be extended, or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

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

Dated at San Francisco, California, this 25<sup>th</sup> day of JUNE, 1968.

[Signature]  
President

[Signature]

[Signature]  
William J. ...

[Signature]  
Commissioners