

ORIGINAL

Decision No. 76811

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SOUTHERN PACIFIC COMPANY for authority)
to abandon, retire and remove a spur)
track running in a generally easterly)
direction in or near the City of San)
Dimas, County of Los Angeles, State of)
California.)

Application No. 51456
(Filed October 31, 1969)

Randolph Karr, for Southern
Pacific Transportation Company,
applicant.
Thomas W. Stoever and Norman Oliver,
for the City of San Dimas; James
G. DeFlon, for the Marley Company;
Paul Spencer, for Sycamore Groves,
Inc., protestants.
George W. Miley, for Department of
Public Works; Dick Graham, for
Machinery & Equipment Corp.,
interested parties.
Ronald I. Hollis, for the Commission
staff.

O P I N I O N

The Southern Pacific Transportation Company seeks authority to retire and remove from service its spur track maintained in the City of San Dimas. Attached to the application is a vicinity map showing the adjoining streets and other railroads and crossings in the area with the location of the spur track.

Public hearing was held before Examiner DeWolf at San Dimas on January 6 and 15, 1970 and submitted on January 15, 1970.

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The City of San Dimas, James G. DeFlon and Paul Spencer appeared and entered a protest to the application but withdrew their protest prior to the matter being submitted.

The applicant alleges that it presently maintains a spur track in or near the City of San Dimas, County of Los Angeles, State of California, known as the San Dimas Spur, originating at the junction with the Baldwin Park Branch M.P. 25.32 (located west of Lone Hill Avenue) and terminating at the end of the spur track east of Acacia Street and that there have been no carload shipments over said spur track since July 1968. Further, since January 1968, there have been no shipments over said spur track of a repetitive nature, nor does the development of the area served by said spur track indicate either a present need for or an industrial growth requiring rail service. Applicant also alleges that considerable additional expense will be imposed upon it for reconstruction and repairs of said track.

The applicant further alleges that a \$250,000 bridge and construction expense by the Department of Public Works, State of California will be reduced if this trackage is removed where it crosses the new Interstate Route 210 Freeway and on-ramps, which is scheduled for construction on the west of San Dimas starting in March 1970.

Applicant also alleges that the general public can be adequately and conveniently served by forms of alternate transportation of freight such as the Atchison, Topeka and Santa Fe Railway Company which serves the same area, and thus public convenience and necessity will not be disserved by removal of this spur track.

In support of the application four division officers of the Southern Pacific Transportation Company testified that this spur track is in very poor condition and a poor operation because of recent disuse and need for maintenance; would require much additional expenditure and improvement to put in first class condition; there is no prospect for future development of additional freight traffic on this spur; the Santa Fe Railway is near the terminus and could be connected to the spur track at the far end, and that generally the allegations of the application are true.

Seven exhibits were received in evidence. Nos. 1 and 4 are right-of-way maps of the railroad and highway. Exhibit No. 2 is a summary of the carload traffic on the spur from 1966 to date and Exhibit No. 3 is a summary of the economic effects of the proposed San Dimas spur abandonment.

Exhibit No. 6 is a copy of a letter dated January 13, 1970 from the Division of Highways District Engineer stating the position of the Division as to this spur track and necessary bridges and possible savings if it is removed, and the schedule of construction at this location. The exhibit states:

"The possible savings, if any, to the Division of Highways by the elimination of two bridges over this Spur Track cannot be projected at this time and funds cannot be committed to participate in the cost of the proposed tie-in between the railroads, but this District will recommend to Headquarters that approval be given for the use of any savings realized from the elimination of these bridges in an equitable participation in this tie-in cost. We will also request that the necessary approval be obtained from the Federal Bureau of Public Roads.

"It is contemplated that if abandonment is ordered by the PUC, that negotiations will be opened between the Division of Highways and the City of San Dimas for the amendment of the existing Freeway Agreement and the existing Cooperative Agreement concerning the construction of certain highway improvement in the immediate vicinity."

Exhibit No. 7 is a copy of a letter dated January 14, 1970 from the Santa Fe Railway Manager stating that the Santa Fe can build a turnout to serve the parties on this spur.

Exhibit No. 8 is a copy of a letter dated October 22, 1969 from a tenant of Paul Spencer in regard to the need for rail service.

A witness testified on behalf of the Division of Highways and supplied information on the possible savings in freeway construction if this spur track is removed and estimated that a saving of \$65,000 could be effected if these bridges for the spur track need not be constructed, provided that the Division of Highways is able to notify the contractor by March 15, 1970.

The two parties who are interested in freight service from the spur track testified that they have an interest in real property which is served by the present Southern Pacific spur track and which is also near the Santa Fe Railway and that they would be satisfied with equivalent service from the Santa Fe Railway. These parties, after testifying and offering letters in evidence, withdrew their protest and requested an early decision be made to grant the application in order to effect the savings of bridge construction by the highway department and other crossing protection savings by the City of San Dimas.

The Commission staff appeared and cross-examined the witnesses but did not oppose the application.

At the hearing applicant requested that the application be amended to show its name as Southern Pacific Transportation Company.

The evidence shows that this San Dimas spur track is over a mile long and crosses several local streets, Interstate Route 210 now being constructed, and then crosses the mainline of the Santa Fe Railway after which it switches back into the only properties served, by means of two sharp 30 degree curves which cannot be safely used by present long railroad cars. Use of this spur track would require extensive modernization and expenditure of large sums of money by the railroad and the City of San Dimas for improved crossing protection over the several local street crossings if the track was extensively used.

San Dimas was incorporated in 1960, and its unprecedented growth has transformed the city from an essentially rural to a well-balanced community offering industrial, commercial, and residential living. It is anticipated that residential growth in particular will continue during the next seven years with the addition of 4,000 homes and approximately 12,000 new residents.

The construction of the Foothill Freeway, Interstate 210, is scheduled for completion by 1970, and the Corona Freeway should be ready for use by 1971. San Dimas can anticipate accelerated growth, not only in population, but also in commercial and industrial development which normally results from freeway construction.

All protestants who appeared have withdrawn their protests and requested an early decision by the Commission.

The Commission having considered the evidence finds that:

1. Public convenience and necessity no longer require the maintenance of the Southern Pacific San Dimas spur track described in the application.

2. No freight traffic has moved over this spur track since July 1968.

3. The San Dimas spur track will require extensive costly repairs in order to be usable, expensive automatic crossing protection will be needed in San Dimas; a bridge will be required by Interstate Highway 210 now under construction, and the crossing of the spur track over the Santa Fe Railway will require repairs if this spur is retained.

4. The present and future businesses which require freight service from the spur track in San Dimas can be adequately served by the Santa Fe Railway and alternate services.

The Commission concludes that the application of the Southern Pacific Transportation Company to remove the San Dimas spur track has been supported by the evidence.

The application will be granted.

ORDER

IT IS ORDERED that:

The Southern Pacific Transportation Company is authorized to remove the San Dimas spur track originating at the junction with the Baldwin Park Branch located west of Lone Hill Avenue and terminating at the end of the spur track east of Acacia Street in the City of San Dimas as described in the application.

Within thirty days after abandonment and removal of the facility as authorized herein applicant shall notify the Commission in writing.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 17th
day of FEBRUARY, 1970.

William S. ...
President

August ...
J. P. ...
...

...
Commissioners