

Decision No. 78313

ORIGINAL

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

INTERIM OPINION

The Commission by Decision No. 77913, dated November 10, 1970, ordered that Case No. 8437 be reopened for further hearings as to the status, safety, maintenance, use and protection or closing of the crossings of The Atchison, Topeka and Santa Fe Railway Company at 159th, 160th and 161st Streets in the City of Lawndale.

The reopening of this case was partly the result of the City's Resolution No. 1082, dated July 27, 1970, which, among other things, states:

"That the City shall cooperate with the Public Utilities Commission and the Railway to arrive at a mutually convenient and satisfactory resolution of this matter; but in no event shall the City concur in the closing of any crossing other than that at 159th Street, and the City shall concur in the closing thereof only in the event the dedication of the right of way necessary to widen Condon Avenue is made and the City's right to a gated crossing at 166th Street is assured."

A hearing in this matter has not been set. The City Attorney, after a recent meeting between City and railway representatives, wrote the Commission a letter, dated December 18, 1970, a portion of which is quoted as follows:

"Although the City and the railway are presently unable to agree as to the proper and ultimate disposition of the 159th Street crossing, efforts are now under way to resolve certain impediments to an agreement to close this crossing, and it is anticipated by both the City and the railway that they will be able to resolve their differences and reach an agreement as to the disposition of the 159th Street crossing within the next six months.

"Since the immediate upgrading of the crossings at 160th and 161st Streets will serve the common purposes of the City, the railway and the Commission, and since the reopening of Case No. 8437 will delay rather than expedite such upgrading, it is respectfully requested by the City of Lawndale that the railway receive immediate authorization to install automatic gates at the 160th and 161st Street crossings; that the reopening of Case No. 8437 be limited solely to the question of the 159th Street crossing; and that any hearing on this crossing be postponed until after July 1, 1971."

The railway's letter, dated December 21, 1970, covers substantially the same points as contained in the City Attorney's letter.

While the Commission staff does not object to the installation of the automatic crossing gates at 160th and 161st Street crossings, its position is that upon completion of these two installations the 159th Street crossing should be closed to vehicular traffic and remain open only as a pedestrian crossing.

INTERIM ORDER

IT IS HEREBY ORDERED that automatic crossing protection consisting of two Standard No. 8 flashing light signals (General Order No. 75-B), supplemented with automatic crossing gates, be installed at each of the crossings of 160th and 161st Street (Crossings Nos. 2H-17.0 and 2H-17.05, respectively) before July 1, 1971.

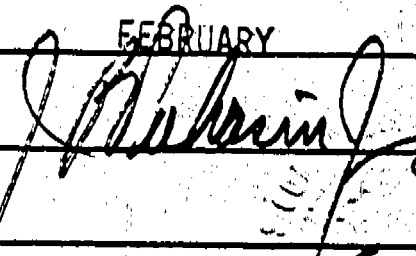
The installation cost of the automatic crossing protection at each crossing shall be apportioned 50 percent to the City of Lawndale and 50 percent to The Atchison, Topeka and Santa Fe Railway Company. The maintenance cost of the automatic crossing protection at each crossing shall be apportioned in the same manner as the installation cost pursuant to the provisions of Section 1202.2 of the Public Utilities Code.


IT IS FURTHER ORDERED that the City of Lawndale and The Atchison, Topeka and Santa Fe Railway Company each advise the Commission by letter not later than July 1, 1971, as to the completion date of the installation of the automatic crossing protection as ordered above and also as to the disposition of the 159th Street crossing.


Upon the receipt of written concurrence as to the closure of the 159th Street crossing on or before July 1, 1971, from the City and railway, a final order will be issued providing for the closure of this crossing. Should the parties fail to agree as to the closure, the matter will be set for hearing.

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

Dated at San Francisco, California, this 17<sup>th</sup> day of FEBRUARY, 1971.

  
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Chairman

  
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Yusuf L. Stinson

  
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Commissioners

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