

Decision No. 78433

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF THE CITY OF LAKEWOOD )  
FOR THE WIDENING OF COVER STREET )  
(CROSSINGS 3A-16.5-C AND 3A-16.7-C) )  
AND PARAMOUNT BOULEVARD (CROSSING )  
3A-16.9-C) OVER THE LAKEWOOD AND )  
DOUGLAS SPUR TRACKS OF THE UNION )  
PACIFIC RAILROAD COMPANY IN THE )  
CITY OF LAKEWOOD. )

Application No. 51844

(Filed April 22, 1970;  
Amended November 19, 1970)

John S. Todd, Attorney at Law, for  
City of Lakewood, applicant.  
Marshall W. Vorkink, Attorney at Law,  
for Union Pacific Railroad Company,  
interested party.  
Claude L. Biddle, Jr., Attorney at Law,  
for Department of Public Works,  
State of California, interested party.  
Raymond Toohey, for the Commission  
staff.

O P I N I O N

Applicant seeks authority to widen two street crossings and to establish a new street crossing over tracks of the Union Pacific Railroad Company within the City of Lakewood.

Public hearings on the application were held before Examiner C. S. Abernathy at Los Angeles on October 19 and December 1, 1970. On the latter date the matter was taken under submission for decision.

The crossings which would be widened are those of Cover Street. The new crossing would be an extension of Paramount Boulevard. Detailed engineering specifications showing the

location, plan, profile and cross section of the proposed changes are set forth in Exhibit "B" of the application.

Each of the crossings are or would be at grade. Assertedly, grade separations at said crossings are not economically feasible at this time.

Applicant alleges that the proposed changes are necessary to accommodate more efficiently and safely the great volume of vehicular traffic on Carson Street between Paramount Boulevard and Cherry Avenue within the City of Lakewood.

At the hearings it was developed that the crossings of Cover Street were originally established as private crossings but have since assumed the character of public crossings. Commission authorization for said crossings, as required by Section 1201 of the Public Utilities Code, has not been obtained heretofore. In this respect applicant asks that its request for authority to widen said crossings be deemed as a request for the authorization thereof also.

No one disputed applicant's allegations that the crossings are required by public convenience and necessity and that widening of the Cover Street crossings is also required by public convenience and necessity. All parties were in agreement concerning the protection that should be provided for each of the three crossings. By stipulation the City of Lakewood and the Union Pacific Railroad Company agreed as to the proportions of the crossing costs, including the maintenance costs of the crossing protection, which should be borne by each.

Findings

1. The City of Lakewood is undertaking to develop Cover Street for the movement of motor vehicular traffic within said city between Paramount Boulevard and Cherry Avenue.

2. The developments to this end include the widening of Cover Street, and the opening of a public crossing of Paramount Boulevard over tracks of the Union Pacific Railroad Company.

3. Cover Street crosses the tracks of the Union Pacific Railroad Company at two locations.

4. The record does not show the circumstances in which said Cover Street crossings were established. It does show, however, that said crossings are public crossings in character.

5. Public convenience and necessity require the uninterrupted crossings of the tracks of the Union Pacific Railroad Company by Cover Street.

6. Public convenience and necessity require the widening of the Cover Street crossings as proposed by the City of Lakewood in this matter and the continuance of the crossings of Cover Street, as so widened.

7. Public convenience and necessity require the opening of a crossing of Paramount Boulevard over the tracks of the Union Pacific Railroad Company.

8. Public safety requires the installation and maintenance of the crossing protection hereinafter specified at the Cover Street and Paramount Boulevard crossings, respectively.

9. The costs which are involved in the widening of the Cover Street crossings and the opening of the Paramount Boulevard crossing should be apportioned in accordance with the agreements with respect thereto between the City of Lakewood and the Union Pacific Railroad Company, as reflected in the following Order.

Conclusions

1. The City of Lakewood should be authorized to widen and to continue the Cover Street crossings and to open the proposed crossing of Paramount Boulevard.

2. Protection of said crossings should be provided and maintained as specified in the following Order.

3. Construction costs, including crossing protection and maintenance costs, incurred in connection with said crossings should be apportioned as specified in the following Order.

O R D E R

IT IS ORDERED that:

1. The City of Lakewood is authorized:
  - a. To widen and to continue two crossings of Cover Street at grade, and
  - b. To construct a crossing of Paramount Boulevard at grade

across tracks of the Union Pacific Railroad Company in the City of Lakewood, Los Angeles County, at the locations described in the application and identified by number and to be hereinafter identified as 3A-16.5-C, 3A-16.7-C and 3A-16.9-C, respectively.

2. Crossing protection shall be provided in connection with said crossings as follows:

<u>Crossing No.</u>	<u>Street Name</u>	<u>Protection General Order No. 75-B</u>
3A-16.5-C	Cover St.	2 Std. No. 8 flashing light signals with additional flashing lights mounted on cantilever arms.
3A-16.7-C	Cover St.	2 Std. No. 8 flashing light signals with additional flashing lights mounted on cantilever arms.
3A-16.9-C	Paramount Boulevard	2 Std. No. 8 flashing light signals. Signal located in northwest quadrant of crossing to have additional lights beamed at east-bound motor vehicle traffic on Cover St.

3. Grades of approach to the crossings and street widths and walkways at the crossings shall be as specified in Exhibit "B" attached to the application, which exhibit is made a part hereof by this reference.

4. Construction of the crossings shall be equal or superior to Standard No. 2 of General Order No. 72.

5. Crossing protection at Crossing No. 3A-16.9-C shall be interconnected with traffic signals at the adjacent intersection of Paramount Boulevard and Cover Street so that in the preemption phase initiated by an approaching train the traffic signals shall display an adequate clearance interval of sufficient length to clear all vehicles from the track area.

6. No obstructions shall be placed or remain near the flashing light signals which will impair the motorists' view.

7. Costs of the construction and maintenance of the crossings and crossing protection shall be apportioned as follows:

- a. The Union Pacific Railroad Company shall bear 100 percent of the costs of preparing track necessary within the limits of the widened Cover Street crossings, and any paving work within lines two feet outside of rails in the existing crossings; the City of Lakewood shall bear 100 percent of all other costs of widening the Cover Street crossings and approaches.
- b. The Union Pacific Railroad Company shall bear the costs of maintenance of the widened Cover Street crossings within lines two feet outside of rails; the City of Lakewood shall bear maintenance costs of the crossings and approaches outside of said lines.
- c. The cost of installing grade crossing protection at the Cover Street crossings shall be apportioned equally between the City of Lakewood and the Union Pacific Railroad Company. Maintenance cost of the crossing protection shall be apportioned equally between the City of Lakewood and the Union Pacific Railroad Company pursuant to the provisions of Section 1202.2 of the Public Utilities Code.
- d. The City of Lakewood shall bear the entire expense of construction of Paramount Boulevard crossing and approaches.
- e. The Union Pacific Railroad Company shall bear the costs of maintenance of the Paramount Boulevard crossing within lines two feet outside of rails; the City of Lakewood shall bear maintenance costs of the crossing and approaches outside of said lines.

f. The costs of installing grade crossing protection (including the costs of traffic signal interconnection) at the Paramount Boulevard crossing shall be borne by the City of Lakewood. Maintenance costs of the crossing protection shall also be borne by the City of Lakewood, pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

8. All crossing protection shall be fully installed, completed, and placed in operable condition before the crossings involved herein are fully opened to the public.

9. Within thirty days after completion of the work herein authorized, the City of Lakewood and the Union Pacific Railroad Company shall each notify the Commission in writing that said work has been completed.

10. The authority herein granted shall expire one year after the effective date of this order unless sooner canceled, changed or extended by further order of the Commission.

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

Dated at San Francisco, California, this 11<sup>th</sup> day of MARCH, 1971.

[Signature]  
Chairman

[Signature]  
Kern L. Sturgeon

[Signature]  
Commissioners

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