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Decision No. 78829

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the County of
Los Angeles for the widening of
Monterey Road (Crossing 2-134.51)
over the main line of The Atchison,
Topeka and Santa Fe Railway Company
in the City of South Pasadena.

Application No. 51344
(Filed August 29, 1969)

FINAL ORDER ALLOCATING COSTS

By Decision No. 67887, dated September 22, 1964, in Case No. 7521, the Commission ordered The Atchison, Topeka and Santa Fe Railway Company (railroad) to install automatic gates at Pasadena Avenue (aka Monterey Road) (Crossing No. 2-134.51), and that the installation costs be apportioned 50 percent to the railroad and 50 percent to the governmental agency involved.^{1/} The Commission also ordered that the maintenance costs be paid by the railroad. This apportionment of maintenance costs was affirmed in Decision No. 72226, dated March 28, 1967, in Case No. 7521 (Ordering Paragraph 2, Page 22).

On August 29, 1969, the County of Los Angeles filed the herein considered application for authority to widen Crossing No. 2-134.51 wherein, inter alia it was stated on page 3, subparagraph (c)

1/ The crossing is in the City of South Pasadena.

of Paragraph V: "The existing crossing protection consists of two (2) Standard No. 8 flashing light signals each augmented with an automatic crossing gate, and a median mounted Standard No. 8 flashing light signal. The proposed protection will consist of two (2) Standard No. 8 flashing light signals each augmented with an automatic crossing gate, and two (2) median mounted Standard No. 8 flashing light signals."

The requested authority was granted by Decision No. 76874, dated March 3, 1970, with the proviso that: "Construction expense of the crossing and maintenance expense of the crossing and signal protection shall be apportioned by further order of the Commission."

The original costs of automatic crossing protection were apportioned 50 percent each to the city and the railroad and the parties have agreed that the cost of the present protection and the crossing work should be so apportioned.

The parties have asked that the determination of the apportionment of costs of protection maintenance be held in abeyance pending a decision by this Commission in Case No. 8249 and related matters.

On May 25, 1971, in said Case No. 8249 the Commission issued Decision No. 78719, whereby, pursuant to stipulation between parties including The Atchison, Topeka and Santa Fe Railway Company, the Commission made the following order:

"IT IS ORDERED that:

1. Only the following shall constitute altered automatic grade crossing protection pursuant to Section 1202.2 of the Public Utilities Code:

- a. Where Standard No. 8 flashing light signals are installed replacing a lesser type of automatic protection (General Order No. 75-B, Nos. 3, 4, 5, 6 or 7).
- b. Where automatic gate or gates are installed where a lesser type of automatic protection is in place (General Order No. 75-B, Nos. 3, 4, 5, 6, 7 or 8), or where additional automatic gate or gates are installed.
- c. Where a cantilever or cantilevers with flashing light signals are installed at a crossing which is also protected by Standard No. 8 flashing light signals or automatic gate or gates."

The county and the railroad have agreed that under this decision the maintenance costs of the automatic protection remain the responsibility of the railroad.

A public hearing is not necessary.

In accordance with the stipulations of the parties and Decision No. 78719 in Case No. 8249, et al.,

IT IS ORDERED that:

1. The construction and installation costs of the crossing protection at Crossing No. 2-134.51 (Monterey Road) shall be divided equally between the county and the railroad.

2. The Atchison, Topeka and Santa Fe Railway Company shall bear 100 percent of the maintenance costs of the crossing protection at Crossing No. 2-134.51.

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3. In all other respects Decision No. 76874 is affirmed.
The effective date of this order shall be twenty days
after the date hereof.

Dated at San Francisco, California, this 2nd
day of JUNE, 1971.

[Signature]
Chairman
William J. Moore
[Signature]
Vernon L. Sturgeon
[Signature]
Commissioners