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Decision No. 79776

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of SOUTHERN PACIFIC COMPANY (now
Southern Pacific Transportation
Company) for an order authorizing
construction, maintenance and
operation of a railroad tunnel
under Mission Road in the City of
Los Angeles, State of California.)

Application No. 51134
(Filed June 3, 1969)

O P I N I O N

On June 3, 1969 applicant, Southern Pacific Company, filed the application herein for authority to construct, maintain and operate a railroad tunnel under Mission Road in the City of Los Angeles. The legal description of the proposed separated crossing is described in the application. The Southern Pacific Company was granted, by the City of Los Angeles, a franchise, Ordinance No. 138477, to construct a railroad tunnel under Mission Road at the location described in the application.

Exhibit B attached to the application is Southern Pacific Company Drawing No. C-1293, Sheet 1, dated May 12, 1969, which shows the proposed trackage to be constructed under Mission Road. Said drawing shows the proposed crossing number to be PUC No. BBO.483.38.A. The nearest crossing to the West of the proposed tunnel is North Main Street at MP481.679 (grade crossing), and the nearest crossing to the east of the proposed tunnel is Golden State Freeway, PUC No. BBO.485.73.A (overhead crossing). Said Exhibit B also contains a detailed plan of the proposed crossing at a scale of 100 feet per inch, together with a vicinity location plan at a scale of 2,000 feet per inch, showing the relation of the proposed crossing to existing roads and railroads in the general vicinity of the proposed tunnel crossing, and a profile showing a cross-section

of Mission Road and the proposed railroad tunnel. The purpose of constructing the double track mainline trackage in a tunnel underneath Mission Road is to connect the Southern Pacific Company trackage north of Mission Road with the Southern Pacific Company trackage lying south of Mission Road, thus enabling applicant to render expeditious and efficient mainline railroad service to the public.

By letter, dated February 3, 1972, to the Public Utilities Commission, hereby received in evidence as Exhibit No. 1 herein, the City of El Monte withdrew its protest to the granting of the application. By letter, dated February 7, 1972, to the Secretary of the Commission, hereby received in evidence as Exhibit No. 2 herein, Southern California Rapid Transit District withdrew its protest to the application. No other protests have been filed with the Commission. By reason of the withdrawal of the foregoing protests action on the application herein need no longer be withheld by the Commission pending final disposition of related Application No. 49251 of Southern Pacific Company and related Application No. 49751 of Southern California Rapid Transit District.

By letter, dated February 4, 1972, to the Public Utilities Commission, hereby received in evidence as Exhibit No. 3 herein, counsel for Southern Pacific Transportation Company advised the Commission as follows:

1. The original application was filed in the name of Southern Pacific Company, prior to its incorporation into Southern Pacific Transportation Company.
2. The granting of the application herein is necessary as an integral part of the San Bernardino Busway Project.
3. Pending the outcome of negotiations for the Busway Project, the franchise granted by the City of Los Angeles was extended for one period of time and has presently expired. The City of Los Angeles has been requested to revise and grant the necessary franchise for the project covered by the application herein.

4. The City of El Monte, the Southern California Rapid Transit District, the State of California and Southern Pacific Transportation Company have all signed agreements for the development of the Busway Project and in fact actual construction has commenced. Each of these entities has no objection to the granting of the application herein.
5. Applicant requests that an ex parte order be granted promptly so that the construction of the tunnel can be expedited.

The Commission finds that the construction, operation, and maintenance by applicant of the railroad tunnel underneath Mission Road in the City of Los Angeles and the double track mainline trackage in such tunnel, as described in the application herein and Exhibit B attached thereto, would not be adverse to the public interest.

The Commission concludes that the application should be granted. A public hearing is not necessary.

O R D E R


IT IS ORDERED that:

1. Applicant Southern Pacific Transportation Company (formerly Southern Pacific Company), at its own expense, is authorized to construct, operate and maintain the railroad tunnel under Mission Road in the City of Los Angeles and the double track mainline trackage in such tunnel, all as described in the application herein and Exhibit B attached thereto.

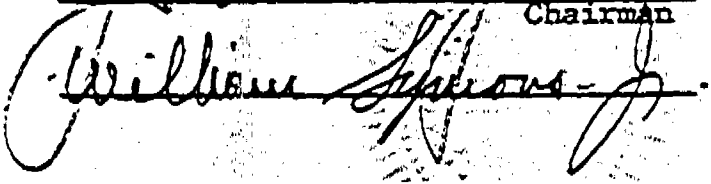
2. Clearances shall conform to the requirements of General Order No. 26-D. Walkways shall conform to General Order No. 118. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall expire if not exercised within two years unless the time be extended, or if 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 the date hereof.


Dated at San Francisco, California, this 25th day of FEBRUARY, 1972.




Chairman



William L. Sturgeon



Commissioners



Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.