

Decision No. 82815

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the operations and practices of Southern Pacific Transportation Company, a corporation; Southern California Rapid Transit District; and California Department of Public Works, Division of Highways.

Case No. 9558  
(Filed May 15, 1973)

ORDER DISCONTINUING INVESTIGATION

The Commission's Order Instituting Investigation in Case No. 9558 reads as follows:

"Investigation having indicated that there may exist a safety problem relative to the upgrading by Southern Pacific Transportation Company, hereinafter referred to as respondent SPT Co., of its State Street Branch Line Track, Los Angeles; the use of said upgraded track as an alternate mainline between the cities of Los Angeles and El Monte; the operation of a busway adjacent to said track by the Southern California Rapid Transit District, hereinafter referred to as respondent SCRTD; and it appearing that said busway is on and a part of the San Bernardino Freeway which is operated by the California Department of Public Works, Division of Highways, hereinafter referred to as respondent Highways,

"IT IS ORDERED that an investigation on the Commission's own motion is hereby instituted into the operations of respondent SPT Co., a corporation, and a railroad corporation within the meaning of Section 230 of the Public Utilities Code, for the purpose of determining:

1. Whether there is a need to install a hot box detector at an appropriate location, in advance of said track in the westward direction.
2. Whether there is a need to install dragging equipment detectors at appropriate locations in advance of and along said track.
3. What would be the cost of installing said hot box and dragging equipment detectors.

4. Whether any or all of the respondents should bear the cost of installing said hot box and dragging equipment detectors.

5. Whether any other order or orders that may be appropriate should be entered in the lawful exercise of the Commission's jurisdiction."

A prehearing conference was held before Examiner Norman B. Haley on May 24, 1973 for the purpose of limiting or separating issues. The three respondents appeared. Southern Pacific Transportation Company (SPT Co.) indicated that it would install certain hot box and dragging equipment detectors<sup>1/</sup> and would furnish the Commission with a detailed letter concerning the locations of detection devices to be installed. SPT Co. and Highways<sup>2/</sup> explained that the costs of installing the detectors and whether any or all of the respondents should bear those costs (Items 3 and 4 of the order) were matters involved in condemnation litigation pending between them.<sup>3/</sup> It was requested that matters involving costs be separated from the first

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<sup>1/</sup> A hot box detector is a heat sensitive device located near the outside of the track which is designed to detect overheated wheel bearings. When an overheated bearing is detected a signal is sent to a digital sign located on the right of way which identifies the trouble by the location of the car in the train. A dragging equipment detector consists of devices located both inside and outside of each rail which will be triggered by contact from anything dragging from the train. Contact with one of these devices will actuate a rotating red beacon located on the right of way.

<sup>2/</sup> Now the Department of Transportation.

<sup>3/</sup> People v SPT Co., et al., Superior Court of the State of California, County of Los Angeles, No. C-25214.

two items, and that no action be taken with respect to Items 3 and 4. On July 23, 1973 SPT Co. sent its letter to the Commission, with copies to the other respondents.<sup>4/</sup>

Following the prehearing conference on May 24, 1973 members of the Commission's staff reviewed periodically the upgrading of the ten miles of main line track involved. A final inspection was made on December 12, 1973, which disclosed that the detection equipment had been installed. Tests made of the detectors showed that they function as intended. The report of the Transportation Division, Operations and Safety Section, dated

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<sup>4/</sup> Among other things, the SPT Co. letter stated:

"Southern Pacific will install and maintain a bi-directional hot box detector with display board at MP 505.0 on SP's El Paso main line west of the Railroad station of Walnut. This detector will be in operation before rail service is restored on the line between Los Angeles and El Monte.

"Plans are being prepared for the installation of four bi-directional, self-restoring dragging equipment detectors equipped with rotating red beacons at or near the following stations:

1. State of California Engineer Station No. 168+89 (Baldwin Park Branch).
2. State of California Engineer Station No. 220+53 (Baldwin Park Branch).
3. State of California Engineer Station No. 590+00 (Baldwin Park Branch).
4. Railroad MP 496.5 (El Paso main line, west of Bassett)."

Note: Baldwin Park Branch is now designated as State Street Line.

March 5, 1974, is attached hereto. It is received as late-filed Exhibit No. 1.<sup>5/</sup>

Effective October 28, 1973 SPT Co. filed its Los Angeles Division Timetable and Special Instructions 1. Among other things, reduced speeds are published on page 36 for the State Street Line. The maximum speed is 40 miles per hour with further restrictions of 30 and 25 miles per hour between designated mile post locations, both eastward and westward.

We conclude that there was need for the detection equipment identified in Items 1 and 2 of the order instituting investigation, and that the need has been satisfied by the installations that have been made. SPT Co. shall maintain the detection equipment in proper working order at all times. Since the detectors have been installed the general purpose of this investigation has been accomplished. Nothing further is required herein with respect to Items 3, 4, and 5 of the order. In the circumstances there is no longer any need for this investigation.

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<sup>5/</sup> The staff report was mailed to each respondent by letter of transmittal dated March 22, 1974 from staff counsel, Lionel B. Wilson, as follows:

"Enclosed is a copy of staff's report in Case No. 9558. You will note that the staff recommends that this CII be terminated.

"I have also transmitted a copy of this report to Examiner Norman B. Haley and asked that this report be received as a late filed exhibit. I have recommended to him that based upon said report, this CII should be terminated. If you have any objection to the termination of the CII, please let me know within ten days of receiving this letter."

No objection was received. By letters dated March 25, SPT Co. and Highways joined in the recommendation that the investigation be terminated. SPT Co. also stated that it has no objection to the staff report being received as a late-filed exhibit.

IT IS ORDERED that the investigation on the Commission's own motion in Case No. 9558 is discontinued.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 30<sup>th</sup> day of April, 1974.

William J. Sturgeon, Jr. President  
F. M. Sturgeon  
James L. Sturgeon  
Edward L. Sturgeon  
Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

Case No. 9558

Exhibit No. 1

Date: March 5, 1974

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA  
TRANSPORTATION DIVISION  
OPERATIONS AND SAFETY SECTION

REPORT ON OPERATIONS AND THE INSTALLATION  
OF DEFECTIVE EQUIPMENT DETECTORS ON  
THE FORMER STATE STREET BRANCH LINE TRACK  
SOUTHERN PACIFIC TRANSPORTATION CO.,  
LOS ANGELES

By: G. H. DUNN  
Senior Transportation Supervisor

STATEMENT OF FACTS

In Case No. 9558, the Commission instituted an investigation into the need for the installation of railroad defective equipment detectors in conjunction with the upgrading of Southern Pacific Transportation Company's State Street Branch Line track that would prevent derailment and possible intrusion into the Southern California Rapid Transit District's busway and the San Bernardino Freeway between Los Angeles and El Monte. This line, approximately 10 miles long, is now identified as the State Street Line and is an alternate main track connecting with the carrier's Los Angeles to El Paso main line at El Monte. Items 1 and 2 of that order relate to whether there is a need to install a hot box detector in advance of the upgraded track in the westward direction and whether there is a need to install dragging equipment detectors at appropriate locations along said track.

At a prehearing conference of May 24, 1973, the representatives from Southern Pacific Transportation Company and the California Department of Transportation indicated that the issues stated in Items 3 and 4 of the CII, which relate to the costs and their allocation to the parties, were subjects of condemnation litigation now pending between themselves. These representatives recommended that the Commission take no action on Items 3 and 4 and let these matters be resolved in the litigation proceedings.

At the same prehearing conference, Southern Pacific Transportation Company indicated that it would install a bi-directional hot box detector and four bi-directional dragging equipment detectors in conjunction with the upgrading of its State Street Line between Los Angeles and El Monte. By letter of July 23, 1973 to the Commission, the carrier confirmed this information.

DISCUSSION

Since shortly after the May 24th prehearing conference, the staff has watched the progress of the upgrading of the State Street Line. This included track construction for compliance with Commission General Orders 26-D and 118, installation of the signal system, and finally the detection devices that are the subject of this proceeding. A final inspection was made on December 12 by members of the staff of the Operations and Safety Section and of the carrier's signal department via track motor car. Bi-directional dragging equipment detectors, Item 2, were installed at Mileposts 486.4, 487.4 and 494.8, respectively, on the State Street Line, and at Milepost 496.5 on the El Paso Main Line as indicated in Items 1 through 4 of SP's letter of July 23. This inspection disclosed that the equipment functioned as intended.

The units were tested by manually actuating the track mounted installations to confirm that they would initiate operation of rotating red lights located adjacent thereto. Two of these units along the State Street Line were installed immediately adjacent to the New Jersey Barrier and below the top of it so that the rotating red light would not startle bus drivers. The third one was located on the opposite side of the track at a point where it should not create this problem.

A bi-directional hot box detector, Item 1 of the CII, was installed at Milepost 504.73 as indicated in paragraph 2 of SP's letter. SP records show that several hot boxes were detected since the installation was placed in service on September 5, 1973.



A test train was operated over the State Street Line on January 3, 1974 for the purpose of determining train handling characteristics, viewing distance of signals, and any other matters of importance to safety that may exist. Carrier officers and members of the staff rode the train. The trip disclosed a need for adjusting and re-aligning at least two signals to increase the viewing distance. This work was being done at one location later in the day.

#### RECOMMENDATION

The staff believes that the above described detector installations will perform the safety functions that we have deemed necessary since the inception of the joint busway-railroad project. The staff agrees with the representatives of Southern Pacific and the California Department of Transportation that allocation of costs for these protective devices should not be in issue in this proceeding. Therefore, the staff recommends that this OII be terminated subject to the condition that the defective equipment detectors shall be maintained in proper working order at all times.