

Decision No. 84900

ORIGINAL

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the County of Los Angeles to  
 construct a pedestrian crossing, vicinity  
 of El Segundo Boulevard and Route 405  
 Freeway at the Southern Pacific Transportation  
 Company El Segundo Branch, proposed crossing  
 No. BBF-498.68-D, in the City of El Segundo,  
 County of Los Angeles.

} Application No. 55746  
 } (Filed June 16, 1975)

INTERIM OPINION AND ORDER

The County of Los Angeles requests authority to construct a pedestrian crossing at grade across the tracks of the Southern Pacific Transportation Company's El Segundo Branch Line adjacent to the El Segundo Boulevard on ramp to the southbound Route 405 Freeway in the City of El Segundo, Los Angeles County.

The County of Los Angeles is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on July 22, 1975, the Board of Supervisors of the County of Los Angeles approved a Negative Declaration.

The purpose of this project is to provide a safe route for pedestrians and bicyclists, particularly for those student commuters to Dana Junior High School living north of El Segundo Boulevard, and the County of Los Angeles is extremely desirous that the crossing be available for use at the earliest possible date.

The State of California, Department of Transportation, has advised the Commission that, while it does not object to construction of the pedestrian crossing, its approval is subject to the stipulation that no funds provided under the provisions of Sections 1231 and 1231.1 of the Public Utilities Code be used for construction and maintenance of the subject crossing. Should the County of Los Angeles request such funds for this crossing, the Department of Transportation has requested that a hearing be set before the application is granted.

In response thereto, the County of Los Angeles has stated that it does not believe that the matter of reimbursement for construction and maintenance costs need be settled prior to authority being granted to construct the crossing. The County of Los Angeles has further stated that it does expect to utilize Sections 1231 and 1231.1 funds for construction and maintenance of this crossing and has requested that an interim order be issued to authorize construction with the question of funding to be resolved by a public hearing at a later date.

Since there are no protests to construction of the crossing and, as alleged by the County of Los Angeles, "the health, safety and welfare of the public could best be served by construction of the crossing at an early date," construction of the crossing should be authorized with the matters in dispute to be set for public hearing.

Notice of the application was published in the Commission's Daily Calendar on June 19, 1975.

### F I N D I N G S

After consideration, the Commission finds:

1. The County of Los Angeles should be authorized to construct a pedestrian crossing at grade across the tracks of the Southern Pacific Transportation Company's El Segundo Branch Line adjacent to the El Segundo Boulevard on ramp to the southbound Route 405 Freeway in the City of El Segundo, Los Angeles County.
2. Cost of the crossing and installation of the automatic protection should be borne by the applicant.
3. Maintenance of the crossing should be in accordance with General Order No. 72-B. Maintenance cost of the automatic protection should be borne by the applicant.
4. Dimensions, configurations, clearances and walkways should be substantially in accordance with the plans attached to the application and comply with applicable rules and general orders of

the Commission.

5. The Commission has considered the County of Los Angeles' Negative Declaration and finds with reasonable certainty that this project will not have a significant effect on the environment.

6. The health, safety and welfare of the public can best be served by completion of the pedestrian crossing at the earliest possible date.

7. The matters concerning allocation of funds for installation and maintenance of the automatic protection pursuant to the provisions of Sections 1231 and 1231.1 of the Public Utilities Code, respectively, should be set for hearing.

### C O N C L U S I O N S

On the basis of the foregoing findings, we conclude that the application should be granted as set forth in the following order:

IT IS ORDERED that:

1. The County of Los Angeles is authorized to construct a pedestrian crossing at grade across the tracks of the Southern Pacific Transportation Company's El Segundo Branch Line adjacent to the El Segundo Boulevard on ramp to the southbound Route 405 Freeway in the City of El Segundo, Los Angeles County. at the location and substantially in accordance with plans attached to the application, to be identified as Crossing No. BEF-498.68-D.

2. Construction of the crossing shall be equal or superior to Standard No. 1 (General Order No. 72-B).

3. Clearances shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 118.

4. Protection at the crossing shall be two Standard No. 10 pedestrian signals (General Order No. 75-C) supplemented with automatic gates.

5. Construction expense of the crossing and installation cost of the automatic protection shall be borne by the applicant.

6. Maintenance of the crossing shall be in accordance with General Order No. 72-B. Maintenance cost of the automatic protection shall be borne by the applicant.

7. Construction plans of the crossing approved by the Southern Pacific Transportation Company, together with a copy of the agreement entered into between the parties involved, shall be filed with the Commission within 30 days of the date of this order.


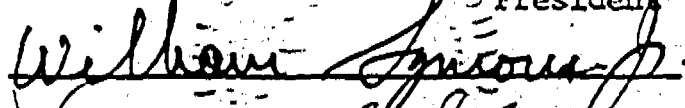


8. The issues concerning allocation of funds for construction and maintenance of the automatic protection pursuant to the provisions of Sections 1231 and 1231.1 of the Public Utilities Code, respectively, shall be decided at a time and place to be set at a later date. The Secretary of the Commission shall notify all interested parties of the time and place set for hearing.

9. 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 one year unless time be extended or if the above 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 is the date hereof.

Dated at San Francisco, California, this  
10th day of SEPTEMBER, 1975.

  
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President  
  
  


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Commissioners

Commissioner Robert Batimovich, being necessarily absent, did not participate in the disposition of this proceeding.