

Decision No. 85750

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern Pacific  
Transportation Company to increase  
train speeds in the City of Antioch,  
County of Contra Costa, State of  
California.

Application No. 53755  
(Filed December 15, 1972)

Harold S. Lentz, Attorney at Law, for Southern Pacific  
Transportation Company, applicant.  
Stanford E. Davis and Gerald A. Sperry, Attorneys  
at Law, for City of Antioch, protestant.  
James T. Quinn, Attorney at Law, for the Commission  
staff.

O P I N I O N

Southern Pacific Transportation Company (SP) seeks rescission of Commission Decision No. 42879 in Application No. 29526 (48 CPUC 685) which imposed a 45 mph rail speed limit over crossings in the city of Antioch. SP asserts that since the only two grade crossings in the city are now protected by automatic gates, train speed is no longer material to safety of the highway-using public. It is also alleged that the speed limit imposes an unnecessary burden on commerce and unnecessarily interferes with speedy, economical freight transportation. The city responded, alleging that there were unauthorized but publicly used pedestrian crossings in the city, that increased speed would cause derailments, and that noise would increase.

Hearing was held in Antioch before Examiner Gilman on November 19 and 20, 1975 and the matter submitted on the filing of briefs.

### Background

In 1949 the city of Antioch adopted an ordinance limiting the speed of trains within the city limits to 15 mph. SP filed Application No. 29526 with the Commission and obtained an order authorizing speeds up to 45 mph, conditioned on upgrading the existing grade crossing signals to Standard No. 8 (automatic flashing lights).

In 1969 the two grade crossings in the city were further upgraded to include automatic gates. The two grade crossings immediately outside the city limits also are equipped with automatic gates.

The track within the city limits and adjacent thereto is built and maintained to Federal Railroad Administrative Class 4 Standard which permits freight train speeds to 60 mph and passenger train speeds of 80 mph. There are no plans to conduct passenger operations on this line and SP now limits freight train speeds to 55 mph on this line.

### Evidence Presented

Two SP employees, qualified by long experience in operations and in investigating train accidents, testified that removing the speed limit would permit more constant speed operations, thus reducing the possibility of a derailment. SP also presented the results of a computer study indicating that significant savings in fuel and a reduction in operating time would occur if the limit were removed. SP called a crossing protection engineer to testify as to the characteristics of the crossings and protection involved. A railroad employee concerned with environmental problems and occupational health and safety was called to testify concerning noise problems.

The city presented testimony of its civil engineer to the effect that trespassers were on the right-of-way, that increased speed might conflict with the noise element in the city's general plan, and that there is an earthquake fault crossing SP's right-of-way within the city.

### Discussion

The trespassers described by the city do not cross the right-of-way at unauthorized locations. The trespassers use the right-of-way as a place to enjoy their off-the-road vehicles. There are apparently enough protected grade crossings, or separated crossings with walkways, to provide convenient pedestrian access across the railroad.

The evidence indicates that locomotive noise is constant between speeds well below 45 and above 60 mph. Other components of railroad noise do increase with speed, but within the range from 45 to 60 mph the difference is so small that it is practically undetectable.

There is no convincing evidence that railroad speeds should be limited because of earthquake faults.

We find that:

1. Elimination of this speed restriction will permit SP to render more convenient, less expensive freight service to the public.
2. Elimination will save significant amounts of fuel.
3. The speed limit is no longer necessary for the protection of vehicles or pedestrians using established grade crossings in Antioch or the vicinity.
4. Antioch has an adequate number of safe crossings for pedestrians. There is no evidence that pedestrians cross the tracks at other than authorized crossings.
5. Elimination of speed limits will not significantly increase railroad noise levels, nor create danger from earthquakes.


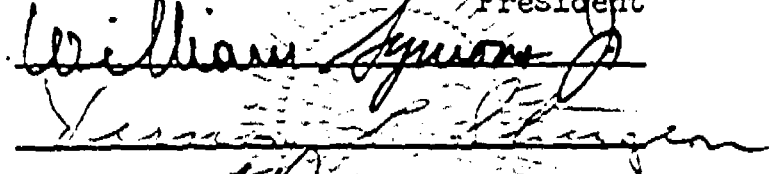
We conclude that SP should be authorized to increase its speed limits to the limits applicable elsewhere on the same line.

O R D E R

IT IS ORDERED that Decision No. 42879 is rescinded.

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

Dated at San Francisco, California, this 27<sup>th</sup>  
day of APRIL, 1976.

  
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President  
  
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Robert Bateman  
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Commissioners