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Decision 97-03-019 March 7, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**CONFIDENTIAL**

Application of the City of Long Beach for	)	
an Order authorizing modification of one	)	
grade crossing at Ninth Street through the	)	Application 94-02-053
addition of two tracks of the Southern	)	(Petition for Modification
Pacific Transportation Company (SPT) at	)	Filed September 17, 1996)
the Harbor Scenic Drive-Pico Avenue	)	
Interchange Project	)	

OPINION MODIFYING DECISION 94-06-010

By Decision (D.) 94-06-010, dated June 8, 1996, in Application (A.) 94-02-053, City of Long Beach, acting by and through its Board of Harbor Commissioners, Port of Long Beach (City), was authorized among other things to relocate existing tracks of Union Pacific Railroad Company's (UP) Long Beach Branch Line (formerly owned by Southern Pacific Transportation Company (SPT)) in the Port Area of Long Beach, Los Angeles County.

By Petition for Modification filed September 17, 1996, City requests authority to modify D.94-06-010 by altering one grade crossing at Ninth Street through the addition of two tracks of UP at the Harbor Scenic Drive - Pico Avenue Interchange Project.

The additional tracks will provide increased rail capability to facilitate the rapid movement of container cargo in and out of the Port of Long Beach.

The Commission's Rail Safety and Carriers Division Traffic Engineering staff has reviewed the proposed plans, inspected the site of the proposed project, and recommends that City's request be granted.

City's Petition for Modification of D.94-06-010 meets the Commission's filing requirements under Rule 38 of the Rules of Practice and Procedure. Revised Exhibit B attached to this order contains the proposed revisions and modifications to D. 94-06-010.

Findings of Fact

1. Notice of Petition for Modification of D.94-06-010 was published in the Commission's Daily Calendar on September 19, 1996. No protests have been received. A public hearing is not necessary.

2. City requests authority to modify D.94-06-010 by altering one grade crossing at Ninth Street through the addition of two tracks of UP at the Harbor Scenic Drive - Pico Avenue Interchange Project in the Port Area of Long Beach, Los Angeles County.

3. Public convenience and necessity require the addition of two tracks which will provide increased rail capability to facilitate the rapid movement of container cargo in and out of the Port of Long Beach.

4. Public safety requires installation of two Standard No. 9-A automatic gate-type signals with additional flashing lights on cantilever arms and one median-mounted Standard No. 9 automatic gate-type signal (General Order (GO) 75-C).

Conclusions of Law

City's Petition for Modification of D.94-06-010 should be granted as set forth in the following order.

O R D E R

IT IS ORDERED that:

1. City of Long Beach, acting by and through its Board of Harbor Commissioners, Port of Long Beach (City), is granted authority to add two spur tracks at Ninth Street Crossing BH-503.56-C of Union Pacific Railroad Company's (UP) Long Beach Branch Line (formerly owned by Southern Pacific Transportation Company (SPT)) in the Port Area of Long Beach, Los Angeles County.

A. 94-02-053 RS&C/RRT/sh

2. Protection at the crossing shall be two Standard No. 9-A automatic gate-type signals with additional flashing lights on cantilever arms and one median-mounted Standard No. 9 automatic gate-type signal (General Order (GO) 75-C).

3. In all other respects, D.94-06-010 shall remain in full force and effect.

4. The Petition for Modification is granted as set forth above.

5. Application 94-02-053 is closed.

This order becomes effective 30 days from today.

Dated March 7, 1997, at San Francisco, California.

P. GREGORY CONLÓN

President

JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEEPER

RICHARD A. BILAS

Commissioners

