

ORIGINAL

Decision No. 40386

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
the County of Contra Costa, State of)	
California, for a crossing at grade)	Application
of the tracks of the Southern Pacific)	No. 28053
Railroad south of Alamo in the County)	
of Contra Costa, State of California.)	

Francis W. Collins, District Attorney of Contra Costa County by REX BOYER, Deputy for applicant. ROBERT N. ENSIGN for Southern Pacific Company, protestant.

OPINION AFTER RE-HEARING

In accordance with the provision of the order in Decision No. 40176, dated April 15, 1947, a further hearing was held in the above-entitled matter in Martinez on May 28, 1947, at which time the matter was re-submitted.

The purpose of reopening this proceeding was for applicant to present a plan representing the views of the County for proper locations of grade crossings on the San Ramon Branch of Southern Pacific Company.
(1)

Prior to the re-hearing and after field investigations by some of the parties, a conference was held between representatives of the County Surveyor's office, the County Planning Commission, the District Attorney's office and Southern Pacific Company for the purpose of recommending a plan for future grade crossings over the San Ramon Branch of the railroad between Hookston and Danville. Minutes of this conference, including the list of recommended crossings, were filed at the hearing as Exhibit No. 5.

(1) The Opinion in Decision No. 40176 states in part as follows: "That, as well as the instant proceeding, will be reopened for further hearing on a common record. At this hearing the county authorities are requested to present any definite plan or policies with respect to the subdivision of residential property in this general area where railroad crossings are involved."

La Serena Avenue, herein proposed to be opened, is only 375 feet south of South Avenue, a private road crossing the railroad. Although the Minutes recommended making South Avenue a public crossing, both the Board of Supervisors and the subdivider urged that a crossing of La Serena Avenue be authorized. (2)

The record indicates that the subdivision which La Serena Avenue will serve can be laid out so that its streets can be extended into future subdivisions and adjacent property, thereby obviating the immediate development of South Avenue as a public road. The subdivider indicated that it is not his intention to request a public crossing at South Avenue.

We agree with the Board of Supervisors that La Serena Avenue should be opened over the railroad; however, a revised plan of the subdivision should be filed with this Commission showing how the adjacent properties can be connected with La Serena Avenue to give access to the State highway.

The application will therefore be granted.

ORDER AFTER RE-HEARING

The County of Contra Costa is authorized to construct La Serena Avenue at grade across the San Ramon Branch of Southern Pacific Company near Alamo, Contra Costa County, at the location described in the application, to be identified as Crossing No. B0-52.4. Applicant shall bear entire construction expense, also maintenance cost outside of lines two feet outside of rails. Southern Pacific Company shall bear maintenance cost between such lines. Width of crossing shall be not less than 24 feet and grades of approach not greater than four per cent. Construction shall be equal or superior to Standard No. 2

(2) The physical characteristics surrounding the proposed La Serena crossing were amply covered in the Opinion in Decision No. 40176, and therefore will not be reviewed here.

of G. O. No. 72. Protection shall be by two Standard No. 1 crossing signs (G. O. No. 75-B).

Within thirty days after completion pursuant to this order applicant shall so advise the Commission in writing. This authorization shall become void if not exercised within one year, unless time be extended or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

Within sixty (60) days from the effective date hereof, applicant shall file a subdivision map of the area served by said crossing showing connections provided to adjacent lands. The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco California, this 10th day of June, 1947.

Harold Hulse
James F. Calver
Frank L. Preece
A. J. [unclear]
Herbert Lott
COMMISSIONERS