

ORIGINALDecision No. 73578

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF ROHNERT
 PARK acting through its City Council,
 for permission to construct Sonoma
 State College Expressway crossing
 at grade across the main line of the
 NORTHWESTERN PACIFIC RAILROAD in the
 City of Rohnert Park.

Application No. 48370
 (Filed April 4, 1966)

Larry W. Telford, for Northwestern Pacific Railroad
 Company, protestant.

Melvin R. Dykman, for Department of Public Works,
 State of California, interested party.

(For other appearances see Decision No. 72886.)

OPINION AND ORDER ON REHEARING

By Decision No. 72886, dated August 3, 1967 in this proceeding, the City of Rohnert Park (City), in Sonoma County, was authorized to construct Sonoma State College Expressway at grade across a track of the Northwestern Pacific Railroad Company (N.W.P.), said crossing to be identified as Crossing No. 5-47.4. On August 17, 1967 N.W.P., protestant, filed a petition for rehearing and request for oral argument before the full Commission. By Decision No. 73049, dated September 12, 1967, rehearing was granted and was held initially before Examiner Daly at San Francisco on October 31, 1967. No evidence was received at that time and, at the request of counsel for City, the matter was continued to November 28, 1967. During the intervening weeks the matter of a new stipulation between City and N.W.P. which might be acceptable

to the Commission would be presented to the City Council of Rohnert Park for consideration.^{1/}

The adjourned session of the rehearing was held on November 28 and 30, 1967 before Examiner Bishop. At the outset counsel for applicant indicated that applicant was not prepared to enter into a new stipulation. Accordingly, N.W.P. proceeded with its evidence, which was presented through eight witnesses. No evidence was offered by applicant or other parties to the proceeding. Following the closing statements of the parties the matter was submitted on rehearing.

We find that:

1. Sonoma State College Expressway (Expressway) has been completed from a point just east of the freeway (U.S. Highway 101) eastward to a point just west of the N.W.P., and from a point just east of said railroad right-of-way eastward to Simpson Lane.

2. It is planned to complete the easterly portion of the Expressway by extending it easterly from Simpson Lane to Petaluma Hill Road during the 1968 construction season.

3. Sonoma State College (College) campus is in unincorporated territory east of Simpson Lane and south of the planned section of the Expressway described in Finding 2.

4. In 1968 the College will build a north side entrance and connecting road with the planned easterly extension of the Expressway.

5. At present the major entrance to College is from East Cotati Avenue, bordering the south side of the campus.

^{1/} On June 21, 1967 City and N.W.P. filed a stipulation concerning the proposed grade crossing. In Decision No. 72886, above, the Commission found and concluded that the stipulation should not be accepted.

6. Enrollment at the College is 1,935 students. More than half of these live in the Santa Rosa area (to the north of Rohnert Park); about 200 live in the latter community; the remainder come from various sections and communities to the south, east and west. There are no dormitory facilities on the campus.

7. On and off ramps for northbound traffic are now under construction at the freeway for connection with the Expressway. No funds have yet been designated and no definite dates determined for construction of the southbound on and off ramps or the balance of the planned interchange structure between freeway and Expressway. Property for this purpose has been acquired by the County and deeded to City.

8. A new senior high school has been built adjacent to, and westerly of the College, and south of the planned extension of the Expressway east of Simpson Lane. The school draws students from the area southerly of the Expressway to and including the communities of Penngrove and Cotati.

9. City development has been mainly west of N.W.P. track, but the portion east of the railroad is also growing and the civic center will be developed in that area just southerly of the Expressway.

10. There is a crossing of N.W.P. at East Cotati Road at the south end of City. The crossing has been recently improved, including the installation of automatic gates. There is another crossing near the northern city limit. Movement between the two portions of City divided by the railroad is via these crossings, as is also traffic from and to points beyond these areas, including the freeway, on the west, and the College, on the east.

11. The growth of Rohnert Park has been steady but not spectacular and is expected to continue thus.

12. The master plan for the College envisions a maximum enrollment of 15,000 students by 1990 or 1995.

13. It appears that no traffic counts have been taken in the City of Rohnert Park or in the vicinity of the College.

14. Construction of the proposed grade crossing would facilitate and generally increase the convenience of movement between various sections of the City west of the railroad and certain sections east thereof.

15. Movement of traffic from points south of the City via the freeway to a large part of the community east of the N.W.P., and to the College (after completion of the Expressway to the campus) would be expedited and facilitated by construction of the proposed crossing.

16. This is also the fact with respect to traffic to points north of the City via the freeway from the southern section of the City east of the railroad and from the College.

17. The proposed crossing is a necessary factor in the plans for growth and development of the City.

18. The anticipated volume of traffic over the crossing is not such as to require a separation of grades.

19. Public convenience and necessity require the construction of the grade crossing proposed in Application No. 48370.

We conclude that:

1. The application should be granted.
2. Decision No. 72886 should be affirmed.

A. 48370 ds *

In view of the urgency of the matter at issue, the order which follows shall become effective on the date hereof.

IT IS ORDERED that Decision No. 72886 is affirmed.

IT IS FURTHER ORDERED that Sonoma State College Expressway shall not be opened over the track to public use until the automatic protection is installed and in operation.

The effective date of this order and of the provisions of the order in said Decision No. 72886 shall be the date hereof.

Dated at San Francisco, California, this 3rd day of JANUARY, 1968

[Signature]
President

[Signature]

[Signature]

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Commissioners