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ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the Town of Corte
 Madera, California, a municipal
 corporation, for an order authori-
 zing the alteration of existing
 Grade Crossing No. 5-11.4 where
 Paradise Drive crosses the tracks
 of the Northwestern Pacific Rail-
 road Company in the Town of Corte
 Madera, County of Marin.)

Application No. 51089
 (Filed May 21, 1969)

ORDER

The Town of Corte Madera is hereby authorized to widen the crossing of Paradise Drive at grade with a track of Northwestern Pacific Railroad Company, identified as Crossing No. 5-11.4 in Corte Madera, Marin County, as described and substantially as shown in the application. Width of crossing shall be not less than as shown in the plans attached to the application with grades of approach not greater than one percent. Construction shall be equal or superior to Standard No. 2 of General Order No. 72.

The Northwestern Pacific Railroad Company presently maintains two Standard No. 8 flashing light signals at Grade Crossing No. 5-11.4, which were installed on February 16, 1962 when this rail line extended to Tiburon. Applicant states that abandonment of a portion of the line has reduced train operation to occasional switching service to one industry. The Town of Corte Madera has proposed that the automatic protection is no longer required due to changed conditions.

The removal of automatic signals from a grade crossing previously protected by such signals creates a specifically new hazard in that the motorists who have long used the crossing, being over 6,000 daily at the Paradise Drive crossing, must individually make allowance for the reduced protection. The record herein is

insufficient upon which to determine applicant's additional issue of the permanent need for flashing light signal protection. It is observed that there is considerable industrial land in the area and that Northwestern Pacific Railroad has other trackage in the crossing vicinity than that required for the servicing of one industry. Further order, after public hearing, would be required for this issue.

Authority herein granted is subject to protection being provided by two Standard No. 3 flashing light signals (General Order 75-B) as follows:

1. The westerly (compass) crossing signal to be as now located supplemented by an extra set of flashing lights to provide for the San Clemente Drive approach.
2. The easterly (compass) signal to be relocated to to the edge of proposed roadway and supplemented with an extra set of flashing lights on cantilever arms.

Construction expense of the crossing as well as installation and maintenance cost of the automatic signals shall be borne in accordance with an agreement to be entered into between the parties or, if they fail to agree, by further order of the Commission. Maintenance cost of the crossing outside of lines two feet outside of rails shall be borne by applicant. Northwestern Pacific Railroad Company shall bear maintenance cost of the crossing between such lines. Maintenance cost of the signals as may be borne by applicant shall be pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

Applicant has completed an extensive new highway approach to the grade crossing and desires to open it to early use. Consequently, in lieu of protection as hereinabove required and for a period not to exceed 120 days from the date hereof, applicant may

widen the crossing and open it to vehicular traffic subject to the following protective provisions:

1. Minimum of two Standard No. 1 crossing signs (General Order No. 75-B) reflectorized with reflex-reflective sheet material.
2. Issuance of appropriate railroad instructions as well as installation of signs on the railroad approaches to said grade crossing that advise railroad operating personnel of the following requirements:

No train, engine, motor or car shall be operated over said crossing unless:

- a. Said train, engine, motor or car shall be first brought to a stop and traffic on the highway protected by a member of the train crew or other competent railroad employee acting as a flagman.
- b. Said train, engine, motor or car is operated over the crossing between the hours of 10:00 a.m. and 3:00 p.m.

The widened portion of crossing shall not be opened to public use until the protection ordered herein is installed.

Upon exercising authority granted herein and prior to construction, applicant shall inform the Commission in writing as to whether it requests a public hearing on the issue of permanent protection.

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 above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or

safety so require. In consideration of the aforementioned request for early use of the constructed road facility, the effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 8th day of JULY, 1969.

William Symons, Jr.
President

Andrew

Robert M. Messing

[Signature]
Commissioners