

ORIGINAL

Decision No. 79548

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the status, safety, maintenance, use and protection or closing of the crossings at grade of the lines of The Atchison, Topeka and Santa Fe Railway Company and the Southern Pacific Company located in the City of Fresno.

Case No. 8779
(Filed April 2, 1968)

Harold S. Lentz, for Southern Pacific Transportation Company; Robert B. Curtiss and R. D. Hayes, for The Atchison, Topeka and Santa Fe Railway Company; Alan D. Davidson, for City of Fresno; and William E. Sherwood, Frank G. Waterhouse, Melvin Dykman and Oscar Schelander, for State of California Division of Highways, Department of Public works, respondents.
G. R. Mitchell, for Brotherhood of Locomotive Engineers, interested party.
William C. Bricca, Attorney at Law, and Richard Collins, for the Commission staff.

FINAL OPINION

On January 13, 1971 the Commission issued Decision No. 78162 which set aside partial submission of this case and reopened the investigation for further hearing relating to improvement of certain state grade crossings subject to this proceeding. Since that time the Interstate Commerce Commission has authorized the Southern Pacific Transportation Company to abandon a 5.5 mile portion of its Clovis Branch Line which includes 20 grade crossings involved in this case. Since that time, also, the staff has met with representatives of the City of Fresno (City), Southern Pacific Transportation Company (SPT) and The Atchison, Topeka and Santa Fe Railway (AT&SF) for the purpose of reaching an agreement or agreements for the improvement of grade crossings subject to this investigation.

As a result of these meetings the parties have agreed to the following:

1. Installation of automatic gates at Van Ness Avenue Crossing No. BS-206.55 of SPT within two years.
2. Installation of automatic gates at the following AT&SF crossings within three years:

<u>Street</u>	<u>Crossing No.</u>
Butler Avenue	2-997.2
Fresno Street	2-998.3
Divisadero Street	2-998.5
Belmont Avenue	2-999.0
Clive Avenue	2-999.5
Weldon Avenue	2-1000.2
Clinton Avenue	2-1000.7
Shields Avenue	2-1001.3
Fruit Avenue	2-1002.5

3. Closure of San Diego Street between Van Ness Avenue and the alley between Van Ness Avenue and Fulton Street including the San Diego Street Crossing No. BS-206.66-C of the SPT.
4. City staff to recommend to City Council to make the alley between Sarah and Mary Streets one-way northbound between California and Woodward Avenues (including the SPT Crossing No. EC-206.75-D).
5. City staff to recommend to City Council to make alleys between Belmont and White Avenues, between White and Thomas Avenues, between Thomas and Harvey Avenues and between Harvey and Lewis Avenues one-way eastbound from Diana Street to Clark Street (including AT&SF Crossings Nos. 2-999.05-D, 2-999.13-D, 2-999.20-D and 2-999.28-D).
6. City to study feasibility of installations of boulevard stop signs on Grant Avenue, White Avenue and Harvey Avenue at the intersection of Diana Street. (AT&SF tracks run along Diana Street through these three intersections.)

Crossing No. 2-1002.5 (Fruit Avenue) is not listed in the Order of Investigation herein. The parties affected, AT&SF and City, have included this crossing as part of their agreement. The Order of Investigation should be amended to include this crossing.

The Commission finds that the improvements indicated above in automatic protection of crossings in the City of Fresno are in the public interest. The improvements should be prescribed in accordance with said agreement and this investigation should be discontinued.

FINAL ORDER

IT IS ORDERED that:

1. The Order of Investigation dated April 2, 1968, in Case No. 8779 is amended by adding to the list of The Atchison, Topeka and Santa Fe Railway Company Main Line Grade Crossings:

2-1002.5 Fruit Avenue

2. San Diego Street between Van Ness Avenue and the alley between Van Ness Avenue and Fulton Street, including the Grade Crossing No. BS-206.66-C, shall be closed within six months of the effective date of this order.

3. The affected railroad shown below shall install automatic gates at the crossings listed within the period shown of the effective date of this order.

<u>Street</u>	<u>Crossing No.</u>	<u>Railroad</u>	<u>Period</u>
Van Ness Avenue	BS-206.55	SPT	2 years
Butler Avenue	2-997.2	AT&SF	3 years
Fresno Street	2-998.3	AT&SF	3 years
Divisadero Street	2-998.5	AT&SF	3 years
Belmont Avenue	2-999.0	AT&SF	3 years
Olive Avenue	2-999.5	AT&SF	3 years
Weldon Avenue	2-1000.2	AT&SF	3 years
Clinton Avenue	2-1000.7	AT&SF	3 years
Shields Avenue	2-1001.3	AT&SF	3 years
Fruit Avenue	2-1002.5	AT&SF	3 years

4. Installation costs of the automatic protection shall be shared equally between the city and the railroad affected. Maintenance cost of the automatic protection shall be shared equally between the City and the railroad affected pursuant to Public Utilities Code, Section 1202.2. ✓

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5. Case No. 8779 is discontinued.

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

San Francisco

Dated at _____, California, this 24th day of JANUARY, 1972.

William J. ...
Chairman
William ...
...
...
Commissioners